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G. C. M.

1. Private Frank Beehe, Company "F," 4th Infantry.

2. Private William Mitchell, Company "F," 4th Infantry.

3. Private William Mitchell, Company "F," 4th Infantry.

Corporal William O'Dell, Company "A," 5th Cavalry.
 Private William Scott, Company "F," 4th Infantry.

6. Farrier Thomas Martin, Company "A," 5th Cavalry.

Farrier Thomas Martin, Company "A," 5th Cavalry.
 Private Patrick Byurne, Company "D," 4th Infantry.

8. Private Andrew Kavanagh, Company "F," 4th Infantry.

9. Private John Rieder, Company "D." 4th Infantry.

10. Private William Ryan, Company "K," 4th Infantry.

11. Corporal Louis Schaaf, Company "F," 4th Infantry,

12. Private William D. Bendell, Company "F." 4th Infantry.

13. Private George W. Ernest, Company "B," 4th Infantry.

14. Private Hiram Banks, Company "A," 5th Cavalry.

4. Private Hiram Banks, Company A, Sin Cavarry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, January 2, 1871.

No 1.

L.Before a General Court Martial which convened at Fort Laranic, W. T., pursanat to Paragraph 3, Special Orders No. 204, series of 1870 from these Headquarters, and of which Colonel Franklin F. Filmt, 4th Infantry, is President, and Captain William II. Powell, 4th Infantry, Judge Advocate, were arraigned and trieder.

1st Private Frank Beebe, Company "F," 4th Infantry.

CHARGE-Violation of the 46th Article of War.

PLEA-Not Guilty.

FINDING-Guilty.

SECTION.—To be confined at hard labor under charge of the guard for the period of five months, syaring a ball of twenty-four pounds weight attrached to his left light of a chain six feet long; and to forfeit to the United States that dollars per month of his monthly pay for the same period.

The proceedings finitely stately sentence in this case are approved.

The proceedings findings and sentence in this case are approved and confirmed, and the septence will be duly executed. A twelvepound ball will be used instead of a twenty four pound ball.

Districting.

2d. Private William Mitchell, Company "F," 4th Infantry.

CHARGE-Perjury, to the prejudice of good order and military discipline.

PLEA-Guilty. FINDING-Guilty.

SENTENCE-To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the United States' service; and to be confined in such penitentiary as the Commanding General of the Department may designate for the period of three vears.

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to one year. The penitentiary at Fort Madison, Iowa, is designated as the place of confinement for the prisorer, to which place he will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

3d. Private William Mitchell, Company "F," 4th Infantry.

CHARGE I-Neglect of duty, to the prejudice of good order and military discipline.

Specification-In this, that Private William Mitchell, Company "F," 4th Infantry, a regularly mounted member of the post guard, and duly posted as sentinel on No. 6 post, did fail to challenge the relief between the hours of 3 and 4 A. M., on the 6th of September, 1870, at Fort Laramie, W. T.

Charge 2-Sleeping on post, in violation of the 46th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for the period of five months, wearing a ball of twenty-four pounds weight attached to his left leg by a chain six feet long, and to forfeit to the United States ten dollars of his monthly pay per month for the same poried.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. The ball will be twelve instead of twenty four pounds in weight.

4th. Corporal William O'Dell, Company "A," 5th Cavalry. CHARGE-Neglect of duty,

Specification 1—In this, that Corporal William O'Dell. Company "A," 5th Cavalry, being the non-commissioned officer placed in charge of the guard over the cavalry stables, did so far neglect his duties as to permit his guard, together with himself to be fastened up in the room set apart for the said guard near the cavalry stables, and did fail to make any response to the sentinel over the cavalry stables, after he (the sentinel) had called in a loud tone for the corporal of the guard twice. This at Fort Laramie, W. T., between the hours of 3 and 4 o'clock a. w., October 12th, 1870.

Specification 2—In this that Corporal William O'Dell, Company "A," 5th Cavalry, being on duty in charge of the guard at the cavity stables, did fail to appear himself, or turn out his guard when the Grand Rounds was announced; and who, when the officer of the day succeeed in having the guard room opened, was discovered by:
ing on the floor apparently asleep. this at Fort Laramie W. T., between the hours of 3 and 4 o'clock a. м., October 12th, 1870.

PLEA-To the 1st specification -Not Guilty.

To the 2d specification—Guilty. To the charge—Not Guilty.

Finding—Of the 1st specification—Guilty, by striking out the words thid so far neglect his duty as to permit his guard, together with himself to be fastened up in the room set apart for the said guard near the cavalry stables.'

Of the 2d specification-Guilty.

Of the charge-Guilty.

SENTENCE .- To be reduced to the ranks as a private soldier.

In this case the proceedings and findings under the first specification are disapproved, the Judge Advocate having omitted through inadvertence to connect the accused, by any testimony, with the offense therein alleged. In view of this fact, and the belief that the prisoner's neglect was the result of great fatigue, and will probably not occur again, the sentence is mitigated to forfeiture of five dollars of his pay. As modified, the sentence will be duly executed.

5th. Private William Scott, Company "F," 4th Infan ry.

CHARGE 1-Violation of the 46th Article of War.

* Charge 2-Desertion.

PIEA-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge—Guilty, striking out the words 'desert the same at,' and inserting in lien thereof 'absent himself from,' and striking out the words 'surrendered himself,' and inserting in lien thereof 'returned.'

Of the 2d charge—Not Guilty of desertion, but guilty of absence without leave.

SEXTENCE—To forfeit to the United States all pay and allowances now due or that may become due; and to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to forfeiture of all pay and allowances due beyond the sum of fifteen dollars, and dishonorable discharge. As mitigated, the sentence will be duly executed.

6th. Farrier Thomas Martin, Company "A," 5th Cavalry.

CHARGE—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty

FINDING-Guilty.

SENTENCE.—To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Commanding General of the Department may designate, for the period of one year.

In this case, the prisoner's neglect of precaution against detection, his voluntary confession of guilt to the owner of the stolen clothing, and his general demeanor during the events in question favor the supposition that he was, as he alleges, insane with previous drinking at the time, and had neither control nor knowledge of his ares. This, perhaps might have been made clarer had the witnesses he named in his spoken defence been examined by the Court to this point. As it is, the reviewing authority is inclined to give the prisoner a chance to redeem his character by a mitigation of his sentence. Taking into consideration the three months he has already been in confinement, the sentence is mitigated to six months imprisonment at hard labor, at the post where his company may be

serving, and forfeiture of his monthly pay for the same period. As modified, the sentence will be duly executed.

7th. Private Patrick Byurne, Company "D," 4th Infantry.

Charge 1—Theft, to the prejudice of good order and military discipline.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Patrick Byarac, Private Company "D," 4th Infantry, did strike and otherwise abuse one H. S. Magnard, Recruit 4th Infantry, and did threaten the life of said Magnard. This at Atchison, Kansas, on or about the 1st day of November, 1870.

Specification 2—In this that be, Patrick Byurne, Private Company "D," 4th Infantry, did strike and otherwise abuse one H. S. Maynard, Recruit 4th Infantry, and did threaten the life of said Maynard. This at or near Fort D. A. Russell, W. T., on or about November 3d, 1870.

PLEA-To the 1st specification 1st charge-Not Guilty.

To the 2d specification 1st charge-Not Guilty.

To the 3d specification 1st charge-Not Guilty.

To the 4th specification 1st charge—Not Guilty. To the 1st charge—Not Guilty.

To the 1st specification 2d charge—Guilty of striking, but not guilty of the remainder.

To the 2d specification 2d charge-Not Guilty.

To the 2d charge-Not Guilty.

FINDING-Of the 1st specification 1st charge-Not Guilty.

Of the 2d specification 1st charge-Not Guilty.

Of the 3d specification 1st charge-Not Guilty.

Of the 4th specification 1st charge-Not Guilty.

Of the 1st charge-Not Guilty.

Of the 1st specification 2d charge-Not Guilty.

Of the 2d specification 2d charge—Guilty, except the words 'and did threaten the life of said Maumard.'

Of the 2d charge-Guilty.

SENTENCE—To be confined at hard lahor under charge of the guard for two months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed at the post where the prisoner's company may be serving.

8th. Private Andrew Kavanagh, Company "F," 4th Infantry

CHARGE 1-Violation of the 45th Article of War."

CHARGE 2-Violation of the 7th Article of War.

CHARGE 3—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Andrew Kacanagh, Company "F," 4th Infantry, having been tied to prevent fighting, did threaten the life of Lieutenant A. W. Greeley. 5th Cavalry, commanding detachment of recruits, and did also use threats of bodily violence to him and to the guard placed over him.

This on the U. P. Railroad, between Omaha, Neb., and Cheyenne, W. T., btwsen 2 and 4 p. m., on or about the 2d of November, 1870.

PLEA-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge—Not Guilty, but 'guilty of conduct to the prejudice of good order and military disciplice.'

Of the specification 2d charge-Guilty.

Of the 2d charge-Guilty.

Of the specification 3d charge—Guilty.

Of the 3d charge-Guilty.

SETEXCE—To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary, as the Commanding General of the Department may direct for the period of two years.

The proceedings, findings, and sentence in this case are approved, but in view of the prisoner's inexperience and ignorance as a soldier, and the circumstances under which he committed the offenses, it is believed the ends of punishment will be reached by a somewhat milder sentence. The sentence is therefore mitigated to forfeiture of all pay and allowances, except the just dues of the handress, for the period of ten months, and confinement at hard labor under charge of the guard for the same period. As modified, the sentence will be duly exceeded.

9th. Private John Rieder, Company "D," 4th Infantry.

CHARGE 1-Absence without leave.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private John Ricider, Company "D," 4th Infantry, being in confinement in the post guard house, did, without just cause or provocation, abuse the sentinel placed over him, Private Conrad Schmidt, Company "F," 4th Infantry, by calling him a "G—d—d—d Dutch son of a b—h," or words to that effect. This at Fort Laramie, W. T., on or about the evening of November 25th, 1870.

PLEA-To the 1st specification 1st charge-Guilty.

To the 2d specification 1st charge-Not Guilty.

` To the 1st charge—Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge—Not Gnilty.

FINDING-Of the 1st specification 1st charge-Guilty.

Of the 2d specification 1st charge-Not Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge-Not Guilty.

Of the 2d charge-Not Guilty.

SENTENCE—To forfeit to the United States five dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved.

and confirmed, and the sentence will be duly executed.

10th. Private William Ryan, Company "K," 4th Infantry.

Charge 1—Conduct to the prejudice of good order and military discipline.

Specification I—In this that he, Private William Ryan, Company "K," 4th Infantry, was drunk in the post trader's store at Fort Laramic, W. T., between the hours of three and four p. m., on the 26th day of November, 1870.

Specification 2—In this that he, Private William Ryan, Conpany "K," 4th Infantry, having been ordered to his quarters hy his company commander, Captain William S. Collier, 4th Infantry, did reply in an impudent and insubordinate tone 'I don't know where my quarters are' or words to that effect. All this at Fort Laramie, W. T., on or about the 26th day of November 1870. Charge 2—Disobedience of orders.

PLEA-To the 1st specification 1st charge-Guilty.

To the 2d specification 1st charge-Not Guilty.

To the 1st charge-Guilty.

To the specification 2d charge—Not Guilty.

To the 2d charge-Not Guilty.

FINDING-Guilty.

SEXTENCE—To forfeit to the United States eight dollars per month of his monthly pay for the period of three months.

The proceedings, findings, and sentence in this case are approved

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Corporal Louis Schauf, Company "F," 4th Infantry.

CHARGE 1—Neglect of duty, to the prejudice of good order and military discipline.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1.—In this, that Corporal Louis Schaaf, Company "E," 4th Infantry, did join in a disturbance in the quarters of his company at Fort Laramie, W. T., on the night of the 30th of November, 1870. This at Fort Laramie, W. T., on the date above specified.

Specification 2—In this, that Corporal Louis Schaaf Company "F," 4th Infantry, did take part in a disgraceful disturbance in the quarters of his company, and did interfere with Corporal Michael McLaughlin, of same company, while he, the said Corporal Michael McLaughlin, Company "F," 4th Infantry, was in the proper discharge of his duties, attempting to arrest Private William D. Bendell, Company "F," 4th Infantry, one of the parties engaged in said disturbance. This in the quarters of Company "F," 4th Infantry, at Fort Laramie, W. T., on the night of the 30th day of November, 1870.

PLEA-Not Guilty.

FINDING-Of the specification 1st charge-Not Guilty.

Of the 1st charge-Not Guilty.

Of the 1st specification 2d charge-Guilty.

Of the 2d specification 2d charge-Guilty.

Of the 2d charge-Guilty.

SENTENCE-To be reduced to the ranks as a private soldier, and

to forfeit to the United States ten dollars per month of his monthly pay for the period of two months.

In this case the proceedings and findings are approved; and the sentence, although too lenient for the offense committed by the prisoner, will be duly executed.

12th. Private William D. Bendell, Company "F," 4th Infantry.

Charge 1—Conduct to the prejudice of good order and military discipline.

Specification !—In this, that Private William D. Bendell, Company "F," 4th Infantry, did excite a disturbance amongst certain enlisted men of Company "F," 4th Infantry, and did take part in said disturbance in the company quarters of Company "F," 4th Infantry, at Fort Laramie, W. T., on or about the night of the 30th

All this at Fort Laramie, W. T., on or about the time specified.

Specification 2—In this, that Private William D. Readell, Company "F," 4th Infautry, did strike Corporal McLauphlin of Company "F," 4th Infantry, while he, the said Corporal Michael McLauphlin, Company "F," 4th Infantry, was in the proper discharge of his duties attempting to quell a disturbance in the quarters of "F," Company, 4th Infantry, at Fort Laramie, W. T., on or about the night of the 30th day of November, 1870.

CHARGE 2-Violation of the 6th Article of War.

PLEA-Guilty.

day of November, 1870.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay for the period of ten months; and to be confined under charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved, but, believing that some degree of elemency would have a good effect in this case, the reviewing authority reduces the term of confinement to three months. As mitigated, the sentence will be duly executed.

13th. Private George W. Ernest. Company "B," 4th Infantry.

CHARGE 1-Drunkenness on duty.

Charge 2-Disobedience of orders.

PLEA-To the Specification 1st charge-Guilty

To the 1st charge—Not Guilty.

To the 1st specification 2d charge—Guilty. To the 2d specification 2d charge—Guilty.

To the 3d specification 2d charge—Guilty.

To the 2d charge-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay for three months; to be confined under charge of the guard for the same period, and to be required to perform such duties as clerk as may be deemed necessary by his regimental commander; at all other times to perform the duties required of general prisoners.

The proceedings, findings, and sentence in this case are approved, In the belief that Private Ernest will profit by the lesson he has received, and will redeem his character by good behavior and sobriety in the future, the confinement is mitigated to twenty days. The sentence as modified, will be duly executed.

14th. Private Hiram Banks, Company "A," 5th Cavalry.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the 1st specification 2d charge—Guilty by striking out the words 'one carbine cartridge box, one sabrebelt and plate, two saddle-blankets (blue,) two bridles, curb,' and inserting in their stead the words 'one saddle-blanket, one bridle, curb.'

Of the 2d charge-Guilty.

SENTENCE—To forfeit to the United States all pay and allowances due or that may become due; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Commanding General of the Department may direct for the period of three years.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. The penientiary at Fort Madison, Iowa, is designated as the place of confinement for the prisoner, to which place he will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

II...The General Court Martial convened at Fort Laramie, W. T., pursuant to Paragraph 3, Special Orders No. 204, series of 1870, from these Headquarters, and of which Captain Franklin F. Flint, 4th Infantry, is President, and Captain William H. Powell, 4th Infantry, Juge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: GEO, D. RUGGLES.

OFFICIAL

Aide-de-Camp.

Assistant Adjutant General.



G. C. M.

- 1. Private Thomas Steward, Company "F," 14th Infantry.
- Private Edward S. Kelly, Company "F," 14th Infantry.
 Private Julius Wink, Company "B," 7th Infantry.
- 4. Private Thaddens W. Johnson, Company "M," 2d Cavalry.
- 5. Sergeant Henry Wilson, Company "M," 2d Cavalry.
- 6. Private John Shea, Company "M," 2d Cavalry.
- Private Charles Feltham, Company "C," 2d Cavalry. Sergeant Jesse G. B. Hill.)
- 8. Corporal William Scott, Private John J. Kelly. Company "F," 14th Infantry.
 - 9. Recruit George Barker, 7th Infantry.
- 10. Private Terrance " Brien, Company "C," 9th Infantry.
- 11. Private Silas T. Ritchie, Company "E," 2d Cavalry.
- 12. Recruit John E. Gabriel, 2d Cavalry.
- 13. Private Edward Holiske, Company "K," 9th Infantry.
- 14. Private Joseph Bell, Company "F," 14th Infantry.
- Private Ernest Heise, Company "G," 14th Infantry.
 Musician Thanas H. Grogan, 2d Cavalry.
- 17 Private William Janke, Company "K," 9th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, January 4, 1871.

No 2.

I. Before a General Court Martial which convened at Onnaha Baracks, Neb., pursuant to Paragraph 2, Special Orders No. 226, series of 1870, from these Headquarters, and of which Lientenant Colonel Albert G. Brackett, 2d Cavalry, is President, and First Lientenant J. L. Fouler, 2d Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private Thomas Steward, Company "F," 14th Infantry. CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of one year; and to forfeit to the United States

all pay and allowances, except the just does of the laundress, that are now doe or may become due; and at the expiration of this time to be drummed out of the service.

The proceedings, findings, and sentence in this case are approved, but the period of confinement is reduced to nine months.

As modified, the sentence will be duly executed.

2d Private Educard S. Kelly, Company "F," 14th Infantry.

Charge-Disobedience of orders.

PLEA-Guilty.

Fishtxe-Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard for the period of three mouths, and to forfeit to the United States fifteen dollars per month of his monthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Julius Wink, Company "B," 7th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SETEXEE.—To be confined at hard labor nuder charge of the guard for the period of one year, and to forfeit to the United States all pay and allowances, except the just dues of the lanndress, that are now due or may become due; and at the expiration of this time to be drammed out of the service.

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to six months. As modified, the sentence will be duly executed.

4th. Private Thaddeus W. Johnson, Company "M," 2d Cavalry. Charge.—Drunkenness, in violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined under charge of the guard for the period of three months, and to carry a log weighing twenty-four pounds every alternate hour from reveille to tattoo for the same period.

In this case the prisoner's plea of guilty saves the proceedings from being set aside on the ground of irregularity, as the specification alleges neither time nor place. The sentence is modified to read-To be confined at hard labor under charge of the guard for three months-and as mitigated, will be duly executed.

5th Sergeant Henry Wilson, Company "M," 2d Cavalry.

CHARGE 1-Absence without leave,

PLEA-Guilty.

FINBING-Guilty.

SENTENCE-To be reduced to the rank of a private soldier.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private John Shea, Company "M," 2-1 Cavalry.

CHARGE-Drunkenness on duty.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—To be confined at hard labor under charge of the stable guard of his company for the period of thirty days; during the first seven days of which time to carry a log of wood weighing twenty-four pounds, from stable call until tattoo.

The proceedings, findings, and sentence in this case are approved, but in view of the prisoner's long service and generally excellent character, the sentence is remitted. It is believed that the prisoner's future conduct will show this act of elemency not to have been misplaced.

7th. Private Charles Feltham, Company "C," 2d Cavalry.

CHARGE I-Violation of the 6th Article of War.

CHARGE 2-Violation of the 99th Article of War.

Specification 1—In this that he, Private Charles Feltham, Company "C," 2d Cavalry, on being ordered by 1st Sergeant E. J. Curpenter, Company "C," 2d. Cavalry, to go to the post guard house, did suy—"You and Fonter, (meaning 1st Lieutenant J. L. Fonter, 2d. Cavalry,) can go to hell, you can't hurt me." This at Ounha Barrucks, Neb., on or about the 25th of November, 1870.

Specification 2—In this that he, Private Charles Felham, Comjany "C," 2d Cavairy, did, whilst being taken to the post guard bouse by Sergeant John R Fratt, and Corporal Edward Howard of Company "C," 2d Cavairy, and in the presence of other culisted men, use the following disrespectful and abusive language to his military superior, 1st Sergeant E. J. Carpenter, Company "C," 2d Cavairy, then in the performance of his military duty—"You are a Specification 3—In this that he, Private Charles Felthum, Conpany "C," 2d Cavalry, did, when in front of, and near, the regimental and post adjutant's office, and in presence of the Sergeant Major. 2d Cavalry, and other enlisted men say—"General Palmer is a son of a b—h," or words to that effect. This at Omaha Barracks, Neb., on or about the 25th November, 1870.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for the period of three months.

In this case the proceedings, findings, and sentence are approved, although the specification under the first charge is so unskilfully drawn as scarcely to warrant a conviction under that charge. This would not have happened, had the charges, after their first return for revision and correction, to the officer who drew them, been returned to these Headquarters for re-examination; as should be done in all cases.

Sergeant Jesse G. B. Hill,

8th. Corporal William Scott, Company "F," 14th Infantry. Private John J. Kelly,

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In: that they, Strgeant Jesse G. B. Hill, Corporal William Scott, and Private John J. Kelly, all of Company "F," 14th Infantry, while in the saloon of T. Miliani, did rob, or assist in robbing Private Daniel Sullivan, Company "B," 2d Cavalry. All this at or near Omaha Barracks, Neb., on or about the 5th day of November, 1870.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit them.

The proceedings, findings, and acquittal in this case are approved; the prisoners will be restored to duty.

9th. Recruit George Barker, 7th Infantry.

CHARGE-Desertion.

Plea-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for the period of one year; to forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundress; and at the expiration of that time to be drummed out of the service.

In this case, the voluntary return of the prisoner justifies a mitigation of the sentence; while the motives which led him to desert, and which the reviewing authority believes to have been truthfully stated by the prisoner, still further justify it.

The sentence is mitigated to confinement at hard labor for three months; and forfeiture of ten dollars per month of his pay for the same period. As modified the sentence will be duly executed.

10th, Private Terrance O'Brien, Company "C," 9th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Gnilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for the period of three months, carrying a log weighing twenty-four pounds, each alternate hour from reveille until tattoo during that period.

The proceedings, findings, and sentence in this case are approved, The log will be carried as directed by the sentence, but only on alteunte days. As modified the sentence will be duly exected.

11th. Private Silas T. Ritchie, Company "E," 2d Cavalry. CHARGE-Desertion.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for the period of one year; to forfeit to the United States all pay and allowances that are due or may become due, except the just dues of the laundress; and at the expiration of that time to be drummed out of the service

In this case the reviewing authority is not quite satisfied with the testimony bearing upon the question of the prisoner's intention to desert, and is willing to give him the benefit of the doubt. The sentence is mitigated to confinement at hard labor under charge of the guard for six months, with forfeithre of all pay and allowances, except the just dues of the laundress, for the same period. As modified, the sentence will be duly executed.

12th. Recruit John E. Gabriel, 2d Cavalry.

Charge—Desertion.

PLEA-Not Guilty.

FINDING-Not guilty of desertion, but guilty of absence without leave.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private Edward Holiske, Company "K," 9th Infantry.

Charge 1-Violation of the 45th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Edward Holiske, Company "K," 9th Infantry, being duly mounted a member of the guard, did allow a prisoner consigned to his charge to escape. All this at Omaha Barrack's, Neb., on the 28th day of November, 1870.

PLEA-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge-Not Guilty.

Of the 2d charge-Not Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of three months, and to carry a log weighing twenty-four pounds each alternate hour from reveille to tattoo for the same period.

In this case the proceedings, findings, and sentence are approved. The Court finds that the accosed did not lose a prisoner entrusted to his care on the day alleged. He was therefore not too drunk to do his duty, though doubtless under the influence of liquor. The sentence is modified to confinement at hard labor for three months; and as mitigated, will be duly executed.

14th. Private Joseph Bell, Company "F," 14th Infantry.

CHARGE 1—Theft, to the prejudice of good order and military discipline.

Charge 2-Desertion.

Силиде 3—Conduct to the prejudice of good order and military discipline.

Specification-In that Private Joseph Bell, Company "F." 14th Infantry, having escaped from confinement while a prisoner under charge of the post guard, did come into the quarters of Company "F." 14th Infantry, dressed in citizen's clothing, and enquire for the 1st Sergeaut of that company and did say-"I want to shoot the s-t out of the son of a b-h."-or words to that effect; meaning the 1st Sergeant of Company "F," 14th Infautry.

This at Omaha Barracks on or about the 28th of November, 1870, PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined in such military prison as the Commanding General shall designate for the period of two years.

In this case the proceedings and findings under the third charge are approved; the findings under the first and second charges are disapproved. The proof of the larceny of the over-coat is insufficient, there being no testimony fastening the crime upon the prisoner except that of finding it in his bunk. It is highly probable that he put it there, and with a felonious intent, but there is nothing to show, satisfactorily, that he did so.

It is shown that the prisoner escaped from the guard house, but it is also shown that he returned the next day and remained a considerable time in the company quarters. He was dressed in civilian's clothing, it is true, but, in view of his voluntary return, it can scarcely be inferred that he intended to remain away.

The sentence is mitigated to confinement at hard labor for six mouths, and forfeiture of twelve dollars per mouth of his mouthly pay for the same period; and as modified, will be duly executed.

15th. Private Ernest Heise, Company "G," 14th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification-In this, that Private Ernest Heise, Company "G," 14th lufantry, having been duly detailed on company police, did become so much under the influence of intoxicating liquors as to be unable to perform his duty in a proper manner. All this at or near Omaha Barracks, Neb., on or about December 6th, 1870. PLEA-Not Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard for the period of one month, and to carry a log weighing twenty-lour pounds each alternate hour from reveille until retreat for the first ten days of the same period.

In this case, the offense might, with greater technical accuracy, have been laid under the 45th Article of War; but the sentence inflicting only corporeal punishment, the proceedings, findings, and sentence are approved, and the sentence will be duly executed.

16th. Musician Thomas H. Grogan, 2d Cavalry.

CHARGE 1-Descriton.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge-Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the first charge-Guilty.

Of the specification 2d charge-Not Guilty.

Of the 2d charge-Not Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of one year; to forfeit all pay and allowances that are now due or that may become due except the just dues of the laundress for the same period; and then to be dishonorably discharged the service of the United States.

In this case the proceedings, findings, and sentence are disapprovied. The prisoner pleads guilty to the charge of desertion on larrigiment, but declares in his address to the court that the
thought of desertion never entered his mind. Notwithstanding this
the court, without taking testimony under the charge, convicts the
prisoner.

It is manifest that the prisoner pleaded as he did through ignorance of the forms of law; and that his statement, rather than his plea, should be taken as the intelligent act of his mind. The Court should therefore have re-opened the case, entered a plea of not guilty, and directed the taking of testimony under the charge. (See Digest of opinions, P. 280.) The prisoner will be released from confirment. 17th. Private William Janke, Company "K," 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In that he, Private William Janke, Company "K," 9th Infantry, did, while under the influence of liquor, approach Sergeant Arthur Conroy, Company "K," by the Infantry, and did reproach him, the said Arthur Conroy, in a bullying manner for putting recruits in his, the said Janke's bunk, which action was done by Sergeant Conroy in the execution of his duty, and did dare Sergeant Conroy, in the execution of his duty, was taking him, the said Janke to the guard house, the said Janke to the strike the said Sergeant Conroy a severe blow in the face, and did otherwise resist violently the said Sergeant. This at Omaha Barracks, Neb., on or about the 20th day of November, 1870.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for the period of three months.

The proceedings, findings, and sentence in this case are approved, and the sentence, though too lenient for the adequate punishment of the offense, will be duly executed.

II...The General Court Martial convened at Omaha Barracks, Neb., pursuant to Paragraph 2, Special Orders No. 226, series of 1870, from these Headquarters, and of which Lieutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and 1st Lieutenant J. L. Fowler, 2d Cavalry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, January 16, 1871.

No 3.

Immediately upon receipt of the breech loading muskets now in transit to infantry companies in this Department, all commanders having in their possession breech loading Springfield muskets of models prior to 1868, serviceable or requiring only slight repairs, will ship the same by fast freight to Major S. Crispin, Ordnance Officer, New York City: freight to be naid by Major Crispin.

Commanders having in their possession unserviceable muskets, of models prior to 1868, of any pattern, will ship the same to Commanding Officer, Ordnance Depot, Omaha, Nebraska.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

FFICIAL.

Aide-de-Camp



G. C. M.

- 1. Private Samuel R. Watkins, Company H. 5th Cavalry, 2. Private Frederick Myers, Company L, 5th Cavalry.
- 3. Recruit Sidney P. Oliver, General Service U. S. Armv.
- 4. Private Albert W. Johnson, Company I, 5th Cavalry,
- 5. Private Henry Murphy, Company M, 5th Cavalry.
- 6. Private George Roberts, Company G. 5th Cavalry,
- 7. Private Warren C. Halstead, Company F, 5th Cavalry.
- 8. Private Charles Minum, Company F, 5th Cavalry.
- 9. Private Jo Brown, Company L. 5th Cavalry. 10. Private John Huff, Company L, 5th Cavalry.
- 11. Private John Wilson, Company M, 5th Cavalry.
- 12. Private Richard Kerius, Company M. 5th Cavalry,
- 13. Private William M. Walters, Company H, 14th Infantry.
- 14. Private Timothy Cases, Company F, 5th Cavalry,

HEADQUARTERS DEPARTMENT OF THE PLATTE. Omaha, Nebraska, January 17, 1871.

GENERAL ORDERS,) No 4.

I...Before a General Court Martial which convened at Fort McPherson, Neb., pursuant to Paragraph 7, Special Orders No. 220, series . of 1870, from these Headquarters, and of which Colonel William II. Emory, 5th Cavalry, is President, and 2d Lieutenant Charles H. Rockwell, 5th Cavalry, Judge Advocate, were arraigned and tried:-

1st. Private Samuel R. Watkins, Company H. 5th Cavalry,

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard, wearing a ball and chain, for the period of one year; to forfeit all pay and allowances now due or that may become due for the same period, except the just dues of the laundress; and then to be returned to duty with his company, and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

2d. Private Frederick Myers, Company L, 5th Cavalry.

Charge I-Violation of the 21st Article of War.

CHARGE 2-Violation of the 45th Article of War.

CHARGE 3-Violation of the 5th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard for the period of four months; and to forfeit ten dollars per month of his monthly pay for the period of eight months.

The proceedings, findings, and sentence in this case are approved. In view of the prisoner's uniform good character, and the fact that this is his first offense, the forfeiture of pay is remitted. The remainder of the sentence will be duly executed.

3d. Recruit Sidney P. Oliver, General Service U. S. Army,

CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of four months, and to forfeit ten dollars per month of his monthly pay for the same period.

The Court is thus lenient on account of the apparent youth and inexperience of the accused.

The proceedings, findings, and sentence in this case are approved. In consideration of the prisoner's voluntary surrender, the forfeiture of pay is remitted. The remainder of the sentence will be duly exceuted.

4th. Private Albert W. Johnson, Company I, 5th Cavalry.

Charge—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this that he, Private Albert W. Johnson, Company I, 5th Cavalry, having been regularly posted as sentinel over prisoners, did allow Private George H. Myers, Company I, 5th Cavalry, a deserter awaiting sentence, to escape. This at or near Fort McPherson, Neb., on or about the 17th day of September, 1870.

PLEA-Not Guilty.

FINDING-Guilty.

Sextence—To be confined at hard labor under charge of the guard for the period of two mouths; and to forfeit ten dollars per mouth of his monthly pay for six mouths.

The Court is thus lenient, because the accused has already suffered a long confinement before trial.

In this case the proceedings, findings, and sentence are approved. In view of the long confinement of the accused, and the difficulty of his maintaining a secure guard over the prisoner placed in his charge, owing to the nature of the ground, the sentence is remitted. Private Johnson will be released from confinement.

5th. Private Henry Murphy, Company M, 5th Cavalry. CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

Sentence-To be confined at hard labor under charge of the guard, wearing a ball and chain, for the period of one year; to forfeit all pay and allowances now due or that may become due for the same period, except the just dues of the laundress; and then to be returned to daty with his company, and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved. In view of the length of time the accused has been in confinement the sentence is modified to read "three months" instead of "one year:" and as mitigated will be duly executed.

6th. Private George Roberts, Company G, 5th Cavalry.

CHARGE 1-Desertion.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge-Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge-Guilty, except the words 'and did take with him one horse, the property of the United States, valued one hundred and fifty dollars, more or less, with intent to defraud the Government of the United States, of the value of the said horse.

Of the 2d charge-Not Guilty.

SENTENCE-To be confined at hard labor under charge of the

gnard, wearing a ball and chain for the period of one year, to forfeit all pay and allowances now due or that may become due during the period of his confinement, except the just dues of the laundress, and then to be returned to duty with his company, and make good the time-lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence-will be duly executed.

7th, Private Warren C. Halstead, Company F, 5th Cavalry.

Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard, wearing a ball and chain, for the period of one year, to forfeit all pay and allowances now due or that may become due during the period of his confinement, except the just dues of the laundress; then to be returned to duty with his company, and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private Charles Minum, Company F, 5th Cavalry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard, wearing a ball and chain for the period of one year; to forfeit all pay and allowances now due or that may become due during the period of his confinement, except the just dues of the laundress; and then to be returned to duty with his company, and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

9th. Private Jo Brown, Company L, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard, wearing a ball and chain for the period of one year; to forfeit all pay and allowances due or that may become due during the period of his confinement, except the just dues of the laundress; and then to be returned to duty with his company and make good the time lost by descrition.

The proceedings, findings, and sentence in this case are approved; but the sentence is mitigated to read "six months" instead of "one year;" and as modified, will be duly executed.

10th Private John Huff, Company L, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SECTENCE—To be confined at hard labor under charge of the guard, wearing a ball and chain for the period of one year; to forfeit all pay and allowances now due or that may become due during the period of his confinement, except the just dues of the haundress; and then to be returned to duty with his company and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private John Wilson, Company M, 5th Cavalry.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—To be confined at hard labor under charge of a guard, wearing a ball and chain, for the period of one year; to forfeit all pay and allowances now due or that may become due for the same period, except the just dues of the laundress; and then to be returned to duty with his company and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

12th. Private Richard Kerins, Company M, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard, wearing a ball and chain, for the period of one year; to forfeit all pay and allowances now due or that may become due for the same period, except the just dues of the laundress; and then to be

returned to daty with his company, and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private William M. Walters, Company H, 14th Infantry.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXUE—To be confined at hard labor under charge of the guard, wearing a ball and chain, for the period of one year; to forfeit all pay and allowances now due or that may become due for the same period, except the just dues of the laundress; and then to be returned to duty with his company, and make good the time lost by desertion.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

14th. Private Timothy Casey, Company F, 5th Cavalry.

CHARGE I - Disobedience of orders.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private Timothy Casey, Company F, 5th Cavalry, die enter a bar-room in the town of North Platte, Neb., and there without cause or provocation asianlt and strike one Sylcester Friend, a citizen, and when remonstrated with did further assault, and in a melee that ensued did violently lay hold of, and severely bite the hand of the aforesaid Sylcester Friend. This at North Platte, Neb., on or about the 2th of November, 1870.

Specification 2—In this, that Private Timothy Casey, Company F, 5th Cavalry, did enter the drinking saloon of one Frank Dieterich, a citiztn of North Platte, Neb., and when requested by Mr. Dieterich to leave the premises, he being about to close the saloon for the night, did refuse to leave, and did thereupon assault and tear the clothing of the said Mr Dieterich, and in a melee that ensued did, with a knife, cut and stab the aforesaid Mr Frank Dieterich. All this to the disgrace of the military service of the United States, at North Platte, Neb., on or about the 24th of November, 1870.

Specification 3—In this, that Private *Timothy Casey*, Company F, 5th Cavalry, was so noisy and boisterous in his company quar-

ters after taps as to necessitate his being confined in the guard house. This at North Platte, Neb., on or about the 24th of November, 1870.

PLEA-To the specification 1st charge-Guilty,

To the 1st charge—Guilty.

To the 1st specification 2d charge-Not Guilty.

To the 2d specification 2d charge—Not Guilty. To the 3d specification 2d charge—Not Guilty.

To the 2d charge—Not Guilty,

To the 2d charge—Not Guity,

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge—Guilty.

Of the 1st specification 2d charge—Guihy, except the words—"and strike."

Of the 2d specifiation 2d charge—Guilty, except the words—"and with a knife cut and stab the aforesaid Mr. Frank Dieterich."

Of the 3d specification 2d charge-Guilty.

Of the 2d charge-Guilty.

SENTENCE—To be confined at hard labor under charge of the gnard for the period of six months; and to forfeit ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed and the sentence will be duly executed.

> BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO, D. RUGGLES,

> > Assistant Adjutant General.

OFFICIAL

Aide-de-Comp.



G. C. M.

- 1. Sergeant Herman Niemetz, Company E, 14th Infantry.
- 2. Private John W. Lawton, Company E, 14th Infantry
- Private James Murphy, Company E, 14th Infantry.
 Private Henry C. Alford, Company E, 14th Infantry.
- 5. Private Frank Halpin, Company B, 4th Infantry.
- Hvate Frank Halpin, Company B, 4th Infantry.
 Musician Oscar Pohle, Company E, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebraska, January 18, 1871.

No 5.

I...Before a General Court Martial which convened at Camp Stambaugh, W. T., pursuant to Paragraph I, Special Orders No. 224, series of 1870, from these Headquarters, and of which Major James S. Brisbin, 24 Cavalry, is President, and 1st Lieutenant James H. Spencer, 4th Infantry, Judge Advocate, were arraigned and tried:—

1st. Sergeant Herman Niemetz, Company E, 14th Infantry.

CHARGE 1-Violation of the 45th Article of War.

Снаков 2—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Sergeant Herman Niematz, Company E, 14th Infantry, while Sergeant of the guard, having been ordered (through Corporal John Regan, Company B, 2d Cavalty, Corporal of the guard,) to report immediately to the officer of the day, did fail to do so, but went to his tent and laid down. This at Camp Stambangh, W. T., on the 2d day of November, 1870.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be suspended from rank as a sergeant for six months; to be confined in charge of the guard for fifteen days; and to forfeit to the United States ten dollars per month of his monthly pay for three months.

In this case the proceedings and findings are approved. The sentence is approved, except that portion which reduces the prisoner from a sergeant to a private, for six months; which is without a precedent, and should on no account become one.

In deference to the earnest recommendation of the members of the court, and trusting that Sergeant Niemets will profit by the consequences of his folly, and show by his future good conduct, a wish to obliterate the memory of what appears to have been an unaccustomed blemish upon a generally excellent military record, the sentence is remitted,

Sergeant Niemetz will be restored to duty.

2d. Private John W. Lawton, Company E, 14th Infantry.

CHARGE 1-Absence without leave.

CHARGE 2-Violation of the 38th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined under charge of the guard for two mouths, wearing a twelve-pound ball attached to his left leg by a chain three feet long; to forfeit to the United States fourteen dollars per month of his mouthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence, though inadequate to the offense, will be duly executed.

3d. Private James Murphy, Company E, 14th Infantry. CHARGE—Violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined under charge of the guard at hard labor for the period of four months, and to forfeit eight dollars per mouth of his mouthly pay for the same period.

In this case the proceedings, findings, and sentence are approved except that portion of the sentence which directs a forfeiture of pay, the 45th Article of War limiting the penalty for its violation to corporeal punishment. The remainder of the sentence will be duly executed.

4th. Private Henry C. Alford, Company E, 14th Infantry. Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Henry C. Alford, Company B, 14th Infantry, did twice wilfully, maliciously, and with malice aforethought, stab with a knife Private August Stenzel, Company E, 14th Infantry, without just cause or provocation; from which stabbing, inflic[†]ed by the said Private Henry C. Alford, the said Private August Stenzel did die on or about March 25th, 1870.

This at Jeffersonville, Indiana, on or about March 23d, 1870.

PLEA-Not Guilty.

FINDING-Guilty.

SEXTENCE—To be dishonorably discharged the service of the United States with the loss of all allowances, and all accrued since June 30th, 1870, and to be confined in such penitentiary as the Commanding General may direct, for five years.

The evidence in this case is extremely scanty, but confirms in the main the prisoner's statement in defence. He is shown, as he states. to have been peaccably attending to his work, when he was, without provocation, grossly insulted and abused by Stenzel, who was intoxicated at the time. The prisoner thereupon requested Stenzel to go away, and the latter did so, but returned immediately, re-commenced his abuse, and finally attacked the prisoner, pushing him up against a shelf. The prisoner asserts that Stenzel throttled him till he could not speak, that he could not shake him off, and that he actually feared for his life. He therefore felt behind him for something with which to force his assailant to let go; and his hand lighting on his knife, he struck him with that. Whether his account in this particular be true or not; there is no proof, or reason to helieve, that his act was perpetrated with malice aforethought, or without provocation, but much to the contrary. The only witness who saw the occurences, testifies that Stenzel let go before the prisoner struck him with the knife. This is in contradiction to the prisoner's account of the fact, and in general would be held of sufficient weight to decide the point. The witness was not examined with any care upon this matter however. The statement is made incidentally, and no pains whatever were taken to bring this, the most important point in the case, to the attention of the Court. On the other hand, the prisoner's endorsement in nearly all the particulars of his defence by the evidence of the prosecution; his own coufidence in his innocence, as shown in his voluntary return to his regiment as soon as it was in his power; which he scarcely would have done had he been consciously guilty of a crime; and lastly the want of a motive for an act so bloody and vindictive, on the part of a man sworn to be not of a quarrelsome disposition; unless under some such circumstances as those detailed by the prisoner; incline the Department Commander to place great confidence in the latter's statement of the unfortunate affair.

The conviction of the prisoner under the allegation of killing Stemzel, rests altogether on his own admission that Stenzel died; for no evidence to that effect was offered by the prosecution, nor any as to the dangerous character of the wound. Indeed there is no proof whatever that Stenzel's death in fact resulted from his collision with the prisoner.

On the several grounds presented above, and believing that the prosecution has failed to make out a case of punishable breach of discipline—which is the basis of the present trial—against a man defending himself from a violent and apparently unprovoked assault; the findings and sentence are disapproved, and the prisoner will be restored to duty.

5th. Private Frank Halpin, Company B, 4th Infantry.

CHARGE-Violation of the 6th Article of War.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States, ten dollars per month of his monthly pay for two months; and to be confined under charge of the guard for sixty days.

In this case the proceedings, findings, and sentence are approved. The language used by the prisoner was disgraceful in the extreme, and still more so when applied by a soldier to his military superior. In view, however, of the confinement already suffered by the prisoner, and solely on this account, the sentence is remitted.

Private Halpin will be released from confinement.

6th. Musician Oscar Pohle, Company E, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Musician Oscar Poble, Company E, 14th Infantry, a duly enlisted soldier in the service of the United States, having had his name put on his company sick book for the purpose of seeing the Post Surgeon, and after the Sargeon had entered in the company sick book his remarks which upon being duly announced by 1st Sergeant P. M. Karigan, Company E. 14th Infantry, to the men whose names were on said sick book as whether they were marked "Quarters," or "Putry," and the said

Sergeant Karigan, having informed the said Musician Oscar Pohle. Company E. 14th Infantry, that he was for duty, did reply to said Sergeant Karigan-"You are a d-d niee man, you told the Doctor not to take me on the sick list, and the men inside, (meaning in the hospital) heard you say so." The said Sergeaut Karigan having told the said Musician Oscar Pohle, that he did not tell the Doctor so, the said Musician Oscar Pohle, did reply-"Yes you did, and you can * * *:" and when ordered to the guard house by the said Sergeaut Karigan, in the performance of his duty, did jump up and draw a ease-knife, and did refuse to go to the guard house until taken there by Corporal William English, Company E, 14th Infantiv. and while in charge of said Corporal English, did say to said Sergeant Karigan-"G-d d-d you, I'll fix you yet."

This at Camp Stambaugh, W. T., on the morning of the 18th of December, 1870,

PLEA-Not Guilty. FINDING-Guilty.

SENTENCE-To be confined in charge of the guard for two months, seven days of each month, on bread-and-water diet; and to forfeit ten dollars per month of his monthly pay for the same period. In this case the proceedings, findings and sentence are approved

and confirmed, and the sentence will be duly excented.

The charge and specification are not earefully drawn. They were not referred to these Headquarters for examination as should invariably be done.

II ... The General Court Martial convened at Camp Stambaugh, W. T., pursuant to Paragraph 1, Special Orders No. 224, series of 1870, from these Headquarters, and of which Major James S. Brisbin, 2d Cavalry, is President, and 1st Lieutenant James H. Spencer. 4th Infantry, Judge Advocate, is hereby dissolved.

> BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO. D. RUGGLES.

> > Assistant Adjutant General.

OFFICIAL



G. C. M.

CAMP DOUGLAS.

- 1. Private Maurice Fitzgerald, Company D, 2d Cavalry.
- 2. Private Edward Griffin, Company D, 2d Cavalry.
- 3. Private Thomas Fay, Company E, 13th Infantry. FORT D, A, RUSSELL.
- Private Joseph Kerney, Company I, 9th Infantry
 Private John Burns, Company F, 9th Infantry.
- 3. Private Thomas Conway, Company F, 9th Infantry.
- 4. Private John F. Hippensteel, Company B, 9th Infantry.
- 5. Bugler John Burns, Company D, 5th Cavalry.
- 6. Private John A. Frehe, Band, 9th Infantry.
- 7. Private James McKeon, Company H, 14th Infantry.
- Private Edward Healy, Company B, 9th Infantry.
 Private Thomas O'Donnell, Company I, 9th Infantry.
- 10. Private George Stoll, Company K, 5th Cavalry.
- 11. Private Alley Kane, Company B, 14th Infantry.
- 12. Private George B. McCarthy, Company B, 14th Infantry.
- 13. Private Daniel Lawler, Company F, 9th Infantry.

 FORT FETTERMAN.
 - 1. Recruit Peler H. Carr, 4th Infantry.
- 2. Private Patrick Mc tuliff, Company Λ , 4th Infantry.
- Private Ralph Brunswick, Company H, 4th Infantry.
 Corporal Charles H. Lang, Company E, 4th Infantry.
- 5. Private Richard Mansfield, Company H, 4th Infantry.
- 6. Private James McGuire, Company H, 4th Infantry.
- 7. Private Jesse Pickering, Company E, 4th Infantry.
- Private Charles H. Fuller, Company E, 4th Infantry.
 Private John Rustin, Company E, 4th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebraska, January 20, 1871.

GENERAL ORDERS, No 6.

I...Before a General Court Martial which convened at Camp Douglas, U. T., pursuant to Paragraph I, Special Orders No. 233, series of 1870, from these Headquarters, and of which Captain Robert Nugent, 13th Infantry, is President, and 1st Lieutenant Henry C Pratt, 13th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Maurice Fitzgerald, Company D, 2d Cavalry.

CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—To forfeit to the United States ten dollars per month of his monthly pay for six months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Edward Griffin, Company D, 2d Cavalry.

CHARGE—Conduct prejudicial to good order and military discipline.

Specification—In that he, Educard Oriffin, a Private of Company D, 2d Cavalry, having been duly detailed as company cook, did refuse to perform his duties as such, and when ordered by 1st Sergeant E. R. Kneas, Company D, 2d Cavalry, he being in the execution of his duty at the time, to go on with his duty, did positively refuse to do so.

All this at Camp Douglas, U. T., December 15, 1870.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE.—To forfeit to the United States ten dollars per month of his monthly pay for two months.

The proceedings, findings, and sentence in this case are approved; but the sentence is mitigated to forfeiture of five dollars of his pay for one month; and as modified, will be duly executed.

3d. Private Thomas Fay, Company E, 13th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Thomas Fay, a private of Company E, 13th Infantry, did become drunk and riotous in his company quarters, and did strike Private Patrick W. Canty, who was lying quiet in his bunk; and when ordered to the guard house by Sergeant James Dillon, of Company E, 13th Infantry, he being in the execution of his duty, did refuse to go, and did resist the said Sergeant James Dillon until he had to call assistance, and did continue to resist and did kick in the breast Sergeant William Patrick,

of Company E, 13th Infantry, who came to the assistance of the aforesaid Sergeant James Dillon, and did repeatedly eall Sergeant James Dillon "a son of a b-h," and did continue so to abuse until forcibly taken to the guard house. All this at Camp Douglas, Utah, on the 4th day of January, 1870.

PLEA-Not Guilty. FINDING-Guilty.

Sextence-To be confined at hard labor under charge of the guard for a period of two months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period,

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

H ... Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Orders No. 237, series of 1870, from these Headquarters, and of which Captain John D. Devin, 9th Infantry, is President, and 1st Lieutenant Charles H. Warrens, 9th Infantry, Judge Advocate, were arraigned and tried :-

1st. Private Joseph Kerney, Company I, 9th Infantry.

CHARGE-Desertion. PLEA-Guilty.

· FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars of his

monthly pay, per month for three months; and to be confined at hard labor in charge of the guard, where his company may be serving for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private John Burns, Company F, 9th Infantry.

CHARGE-Drunkenness on duty. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor in charge of the guard where his company may be serving, for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Thomas Conway, Company F, 9th Infantry.

Charge-Drunkenness on duty, in violation of the 45th Article of War

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard where his company may be serving, for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private John F. Hippensteel, Company B, 9th Infantry.

CHARGE-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars of his monthly pay for one mouth.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Bugler John Burns, Company D, 5th Cavalry.

Charge 1—Disorderly conduct in quarters, in violation of the 54th Article of war.

CHARGE 2.—Conduct to the prejudice of good order and military discipline.

Specification 1—In that he, Bugler John Burns, Company D, 5th Cavalry, did violently resist the attempts of Corporal Jacob Widner, Company D, 5th Cavalry, to bring him to the guard house he, Corporal Widner, being at the time in the proper execution of his daty.

This at Fort D. A. Russell, W. T., on or about November 12, 1870. Specification 2—In that he, Bugler John Burns, Company D, 5th Cavalry, did, when told by Corporal Jacob Widner, Company D, 5th Cavalry, to desist from abusing Private William J. Rose, of same Company, make use of the following words, to-wit:—"You are a son of a b—b, if you take it up for him,"—or words to that effect.

This at Fort D. A. Russell, W. T., on the 12th day of November, 1870.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay per month, for the period of three months.

. The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private John A. Frehe, Band 9th Infantry.

CHARGE -Descriton.

PLEA-Guilty.

FINDING-Guilty.

SEYENCE—To furfeit to the United States all pay and allowancess now due and to be confined at hard labor in charge of the guard where the headquarters of his regiment may be serving, for the period of four mouths; and to forfeit ten dollars of his mouthly pay, per mouth, for the same period.

The proceedings, findings, and sentence in this case are approved.

In view of the painful circumstances which incited the prisoner to

In view of the painful circumstances which incited the prisoner to the commission of his crime, the confinement and forfeiture of ten dollars per month of his pay are remitted. The remainder of the sentence will be duly executed.

7th. Private James McKeon, Company H, 14th Infantry.

· Charge—Drnnkenness on duty.

PLEA—To the specification—Not Guilty.

To the Charge—Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor under charge of the gnard for the period of three months where his company may be serving.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private Edward Healy, Company B, 9th Infantry.

· Charge—Theft, to the prejudice of good order and military discipline.

· PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private *Healy*, will be restored to duty.

9th. Private Thomas O'Donnell, Company I, 9th Infantry.

Charge—Desertion.

PLEA-Not Guilty.

 ${\tt Finding-Not}$ guilty of desertion, but guilty of absence without leave.

SENTENCE-To forfeit to the United States fifteen dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th, Private George Stoll, Company K, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, George Stoll, Company K, 5th Cavalry did, in the mess-room of his company at dinner hour, raise a table knife and attempt to use the same on Private Leon Weitsaus, Company K, 5th Cavalry, and did also seize a crockery bowl from the table and attempt to throw the same at Private Leon Weitsaus, Company K, 5th Cavalry, without any just cause or provocation whatever, making use of the following language—"You w—'s bastard, I will cut your d—d heart out," or works to that effects

This at Fort D. A. Russell, W. T., on or about December 8th, 1870.

Specification 2—1n this that he, Private George Stoll, Company K, 5th Cavalry, on being ordered to the guard house by Sergeaut Maurice Fitzgerald, Company K, 5th Cavalry, did refuse to obey said order by saying—"I won't go with you," or words to that effect.

This at Fort D. A. Russell, W. T., on or about the 8th day of December, 1870.

PLEA-To the 1st specification-Not Guilty.

To the 2d specification-Guilty.

To the charge-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard where his company may be serving, for the period of two months; and to forfeit to the United States fifteen dollars of his monthly pay per month, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private Alley Kane, Company B, 14th Infantry.

CHARGE-Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—To be dishonorably discharged the service of the United States, and to be confined at such penitentiary as the Department Commander may direct for the period of one year.

In this case the prisoner is shown to have taken the pistol in question without the consent or knowledge of its owner, and to have pledged it for liquor. This was an offense of a serious nature; for men living together as enlisted men do, must at all hazards be protected from theft at the hands of their comrades.

The evidence shows, however, it is thought, that the prisoner intended from the first, to return the stolen article, for he made no secret among his friends of having taken it, at least after a time, and did return it voluntarily at the end of six weeks; redeeming it from pawn as soon as he had funds. The sentence as it stanks, is therefore regarded as severe, and in view of the prisoner's manifest pentience, and heeding, moreover, the recommendation of the Court, it is mitigated to imprisonment in the guard house for two months, with forfeiture of ten dollars per month of his pay for the same period. As modified, the sentence will be duly executed.

12th. Private George B. McCarthy, Company B, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military

discipline.

Specification—In this, that Private George B. McCarthy, Company B, 14th Infantry, did become drunk and disorderly in the mess-room of his company, and did use obscene and abusive language to-wards Sergeant Francis S. Niles, Company B, 14th Infantry, and on being arrested did say to the said Sergeant Niles, Company B; 14th Infantry,—"Iwill get square with you yet for I will shoot you, you d—d son of a b—h."

This at Fort D. A. Russell, W. T., on the 11th day of December, 1870.

PLEA—To the specification—Guilty, except the words "I will get square with you yet for I will shoot you, you d—d son of a b—h."

To the charge-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay per month, for the period of six months; to be confined at hard labor, wearing a ball weighing twelve pounds by a six-foot chain, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private Daniel Lawler, Company F, 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th. Private George Stoll, Company K, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, George Stoll, Company K, 5th Cavalry did, in the mess-room of his company at dinner hour, raise a table knife and attempt to use the same on Private Leon Weilsau, Company K, 5th Cavalry, and did also seize a crockery bowl from the table and attempt to throw the same at Private Leon Weilsau, Company K, 5th Cavalry, without any just cause or provocation whatever, making use of the following language—"You w—'s bastard, I will cut your d—d heart out," or works to that effects.

This at Fort D. A. Russell, W. T., on or about December 8th, 1870.

Specification 2—In this that he, Private George Stall, Company K, 5th Cavalry, on being ordered to the guard house by Sergeant Mauriee Fitzgerald, Company K, 5th Cavalry, did refuse to obey said order by saying—"I won't go with you," or words to that effect.

This at Fort D. A. Russell, W. T., on or about the 8th day of December, 1870.

PLEA-To the 1st specification-Not Guilty.

To the 2d specification-Guilty.

To the charge—Guilty.

FINDING-Guilty.

SENTENCE.—To be confined at hard labor in charge of the guard where his company may be serving, for the period of two months; and to forfiel to the United States fifteen dollars of his monthly pay per month, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private Alley Kane, Company B, 14th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Guilty.

SEXTENCE—To be dishonorably discharged the service of the United States, and to be confined at such penitentiary as the Department Commander may direct for the period of one year.

In this case the prisoner is shown to have taken the pistol in question without the consent or knowledge of its owner, and to have pledged it for liquor. This was an offense of a serious nature; for men living together as enlisted men do, must at all hazards be protected from theft at the hands of their comrades.

The evidence shows, however, it is thought, that the prisoner intended from the first, to return the stolen article, for he made no secret among his friends of having taken it, at least after a time, and did return it voluntarily at the end of six weeks; redeeming it from pawn as soon as he had funds. The sentence as it stands, is thereface regarded as severe, and in view of the prisoner's manifest pentience, and heeding, moreover, the recommendation of the Court, it is mitigated to imprisonment in the guard house for two mouths, with forfeiture of ten dollars per month of his pay for the same period. As modified, the sentence will be duly executed.

12th. Private George B. McCarthy, Company B, 14th Infantry.
Charge—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private George B. McCorthy, Company B, 14th Iufantry, did become drunk and disorderly in the mess-room of bis company, and did nee obscene and abusive language towards Sergeant Francis S. Niles, Company B, 14th Infantry, and on being arrested did say to the said Sergeant Niles, Company B, 14th Infantry,—"I will get square with you yet for I will shoot you, you d—d son of a b—h."

This at Fort D. A. Russell, W. T., on the 11th day of December, 1870.

PLEA.—To the specification—Guilty, except the words "I will get square with you yet for I will shoot you, you d—d son of a b—h."

To the charge-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay per month, for the period of six months; to be confined at hard labor, wearing a ball weighing twelve pounds by a six-foot chain, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. 13th. Private Daniel Lawler, Company F, 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Daniel Lewler, Company P, 9th Infantry, did become so much under the influence of intoxicating liquor as to be totally unfit to perform the duties of a soldier.

This at or near Sidney Barracks, Neb., on or about the 29th day of July, 1870.

Specification 2—In this that he, Private Deniel Lawler, Company F, 9th Infantry, was drank and disorderly in the company quarters of Company F, 9th Infantry, and when represently ordered to be quiet by lat Sergeant Transis Griffin, Company F, 9th Infantry, he being in the execution of his duty at the time, did fail and neglect to obey said order.

This at Sidney Barracks, Neb., after tattoo on the night of July 29, 1870.

Specification 3—In this that he, Private Daniel Lawler, Company F, 9th Infantry, did, when ordered to the guard house by 1st Segant Thomas Griffin. Company F, 9th Inhantry, he being in the execution of his duty at the time, repeatedly refuse and fail to obey said order, and did take a rifle from the gau-rack, and did load the same with the evident purpose of shooting the said 1st Sergeant Thomas Griffin, Company F, 9th Infantry, saying—"1 am on the shoot as well as other people,"—re worls to that effect, and did retain said rifle until disarmed by Sergeant James G. Jenkins, and Corporal Frank Mason, Company F, 9th Infantry.

This at Sidney Barracks, Neb., on or about July 29, 1870.

Specification 4—In this that he, Private Daniel Lawler, Company F, 9th Infantry did become so much under the influence of intoxicating liquor as to be totally unfit to perform the duties of a soldier.

This at Fort D. A. Russell, W. T., on or about the 1st day of December, 1870.

Specification 5—In this that he, Private Daniel Lawler, Company F, 9th Infantry, did without cause or provocation quarrel with and grossly insult, Wagoner Patrick Costello, Company F, 9th Infantry, making use of the following language, viz;—"—You can go and **

* * ," or words to that effect, and did take a rifle for the evident purpose of shooting said Wagoner Patrick Costello, Company F, 9th Infantry, and did retain said rifle until disarmed by Corporal Thomas Bailey, Company F, 9th Infantry.

This at or near Fort D. A. Russell, W. T., on or about the 1st day of December, 1870.

Specification 6—In this that he, Private Daniel Lawler, Company F, 9th Infantry, did, when ordered to the guard house by 1st Sergeant Thomas Griffin, Company F, 9th Infantry, he being in the execution of his duty at the time, fail to obey said order until forced to do so.

This at or near Fort D. A. Russell, W. T., on or about December 1, 1870.

Specification 7—In this that he, Private Daniel Lawler, Company F, 9th Infantry, did, in the guard house at Fort D. A. Russell, W. T., make use of the following threatening language, viz;—"As some at 1 get out of this, I will shoot Sergeant Griffin,"—meaning 1st Sergeant Griffin, Company F, 9th Infantry.

This at or near Fort D. A. Russell, W. T., on or about the 1st day of December, 1870.

PLEA-Not Guilty.

FINDING -Guilty.

SEXEMENCE—To forfeit to the United States all pay and allowances now due or to become due, excepting the just dues of the laundress; to be confined at hard labor at the post where his company may be serving, for the period of four months, wearing a twelve pound hall attached to a three-foot chain; and at the expiration of that time to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved. The prisoner was violent while in liquor and seized a gun for purposes of offense, but the evidence shows that the weapon was not loaded. In view of the prisoner's age and long service, the dishonorable discharge is remitted. The remainder of the sentence will be duly executed.

III...Before a General Court Martial which convened at Fort Fetterman, W. T., pursuant to Paragraph 3, Special Orders No. 238, series of 1870, from these Headquarters, and of which Major Alexander Chambers, 4th Infantry, is President, and 1st Lieuteuant Authony W. Vogdes, 4th Infantry, Judge Advocate, were arraigned and tried 1st. Recruit Peter II. Carr, 4th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1.—In this that he, Peter II. Carr, Recruit 4th Infantry, did become drunk while en-route from Cincinnati, Ohio, to Cheyenne, W. T.

This at or near Omaha Neb., on or about November 2, 1870.

Specification 2-In this that he, Peter II. Carr, Recruit 4th Infantry, did, when his detachment was leaving the mail station on the U. P. R. R., endeavor to desert, and did return to said detachonly when he was compelled to, by Lieutenant A. W. Greely. 5th Cavalry, commanding detachment.

This at or near Omaha, Neb., on or about November 2, 1870. Specification 3-In this that he, Peter H. Carr, Recruit 4th Infantry, did behave in so unruly and insubordinate a manner that he had to be tied to restrain him.

This at or near Omaha, Neb., on or about November 2, 1870.

Specification 4-In this that he, Peter H. Carr, Recruit 4th Infantry, having been placed under charge, did threaten with abusive and violent language the life of his guard.

This at or near Omaha, Neb., on or about November 2, 1870.

Specification 5-In this that he, Peter II. Carr, Recruit 4th Infantry, having heard orders given by the Commanding Officer of his detachment to sentinels posted over the said detachment, did comment in the presence of the detachment, upon said order in a mutinnous and insubordinate manner.

This at or near Sidney, Neb., on or about November 3d, 1870. PLEA-Guilty.

FINDING-Guilty.

Sentence-To be confined under charge of the guard for three months at hard labor; forfeiting to the United States twelve dollars of his monthly pay for five months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Patrick McAuliff, Company A, 4th Infantry.

CHARGE-Violation of the 46th Article of War.

PLEA- Guilty.

FINDING-Guilty.

SEXTENCE-To be confined at hard labor under charge of the guard for the period of three months; and to forfeit ten dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Ralph Brunswick, Company H, 4th Infantry.

CHARGE 1-Violation of the 45th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Ralph Brunswick, Company II, 4th Infantry, whilst on duty as a sentinel to protect Quartermaster and Commissary stores and property, did divest himself of his overcoat, musket and accoutrements, and in a felonions manner enter the commissary storehouse which he was supposed to be guarding at the time, by foreing his entrance through a window shielded with iron bars.

This at or about 7 o'clock P. M., November 16th, 1870, at Fort Fetterman, W. T.

. PLEA-Guilty.

FINDING-Guilty.

SEXTEXEE—To forfeit all pay and allowances now due or that may become due him, except the just dues of the laundress, and to be dishonorably discharged the service of the United Signes, and to be confined at such ponitentiary as the Commanding General of the Denartment may designate, for the period of two years.

• The proceedings, findings, and sentence in this case are approved, but the imprisonment is mitigated to six months confinement at hard labor, nuder charge of the guard. As modified, the sentence will be duly executed. The dishonorable discharge will be given at the expiration of the term of confinement.

4th. Corporal Charles H. Lang, Company E, 4th Infantry.

CHARGE 1-Violation of the 45th Article of War.

Change 2-Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Corporal Charles II. Lang, Company E, 4th Infantry, Corporal of the post guard on the 25th day of Norember, 1870, did, on the proper call of the sentinel at the post of the guard, come before the officer of the day, staggering in a drunken manner; his atterance thick, and his whole military demenyor unsoldierly; so much so as to be unfit to perform the duties of Corporal of the guard.

. This at Fort Fetterman, W. T., November 25th, 1870.

PLEA-Not Guilty.

FINDING --- Not Guilty.

And the Court does therefore acquit him.

In this case the evidence offered by the prosention to establish the charge against the prisoner triumphantly acquits him. That he should have been confined so long upon a charge so wholly unsupported by proof, is a circumstance greatly to be deplored; nor is it easy to understand,

5th. Private Richard Mansfield, Company H, 4th Infantry.

Charge-Violation of the 46th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for four months, and to forfeit to the United States twelve dollars of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th, Private James McGuire, Company H, 4th Infantry.

Charge-Desertion,

PLEA-Guilty.

FINDING-Guilty.

SEXTENSE—To be confined at hard labor under charge of the guard for the period of four months, wearing a ball and chain weighing twenty-four pounds attached to his left leg, the chain to be six feet long, for the same period; and to forfeit to the United States ten dollars of his monthly pay for six months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

In view of the prisoner's voluntary surrender, the ball will be twelve pounds, instead of twenty-four pounds in weight.

· 7th. Private Jesse Pickering, Company E, 4th Infantry.

· CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Jesse Pickering, Company E, 4th Infantry, prepared himself for deserting the United State's service by placing in a place of concealment, outside the company quarters, his musket, provisions, and other necessaries for leaving the post, and was found in this place of concealment, getting the things mentioned above, ready for use.

This at Fort Fetterman, W, T., on the 27th of December, 1870. PLEA.—Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of two mouths, wearing a ball weighing twentyfour pounds attached to his left leg by a chain six feet long; and to forfeit to the United States twelve dollars per month, of his mouthly pay for two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed

8th. Private Charles II. Fuller, Company E, 4th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Charles II. Fuller, Company E, 4th Infantry, prepared himself for deserting the United States' service, by placing in a place of concealment outside the company quarters, his musket, and getting provisions ready, necessary for leaving the post. This at Fort Fetterman, W. T., on the 27th of December, 1870.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of two months; and to forfeit to the United States twelve dollars of his mouthly pay per month, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

9th. Private John Rustin, Company E, 4th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private John Rustin, Company E, th Infantry, prepared himself for descring the United State's service by placing in a place of concealment outside the Company, quarters, a carbine, provisions and other necessaries for leaving the post, and was found in this place of concealment, getting the things mentioned above, ready for use.

. This at Fort Fetterman, W. T., on the 27th of December, 1870.

PLEA-Not Guilty.

FINDING—Of the Specification—Guilty, excepting the words "by placing in a place of concealment outside the company:

quarters, a earbine, provisions, and other necessaries for leaving the post, and was found in this place of concealment, getting the things mentioned above, ready for use."

Of the charge,-Guilty.

SENTENCE.—To be confined at hard labor under charge of the guard for the period of two months; and to forfeit to the United States twelve dollars per mouth of his mouthly pay for the same period.

In this case the findings and sentence are disapproved. The Court, in its findings, strikes from the specification every specific allegation of fact. In other words it acquits the prisoner of every act of misconduct by proof of which the prosecution expected to establish the charge, and by the recital of which the prisoner was notified of what alone it was his business to disprove; and finds him guilty of a general and altogether undefined charge of making ready to desert, against which it was impossible he could defend himself; because, not only in this part of the specification is there no allegation of acts indicative of a wrongful purpose, but his attention had been drawn away from the necessity of preparing himself to meet this general accusation by the introduction of definite allegations of misconduct in another part of the specification. If the specification had been originally drawn as it has been now left by the finding of the Court, a conviction under it must have been held invalid, as indefinite and insufficient; a prisoner being entitled to know with reasonable precision the acts which the Government has considered deserving of punishment. In this case the prisoner has explained to the satisfaction of the Court, the facts which were expected to prove misconduct on his part. He is therefore entitled to an acquittal.

There is a second reason in the record which justifies disapproval of the findings. A witness, a private soldier properly convicted by the Court of the same offense with which the prisoner is charged, is asked by the Court the following question:—"State to the Court whether, if the prisoner had not been arrested on the evening in question, in your opinion would he have left or not?"—And the witness answers—"I think he would."

The question is inadmissible, inasmuch as it puts to a witness au inquiry which he was wholly incompetent to answer. It

is impossible the witness can have known what the prisoner would have done in the future, and his opinion on the point was of no value. It was for the Court to infer, not for a witness to tell them, what the prisoner would have done had he not been prevented.— As the answer of the witness may have, and probably did, influence the Court's decision in the ease, there is sufficient ground, for setting aside the proceedings in this error alone.

Private Rustin, will be restored to duty.

IV...The General Court Martial convened at Fort McPberson, Neb., pursuant to Paragraph 7, Special Orders No. 220, series of of 1870 from these Headquarters, and of which Colonel William H. Emory, 5th Cavalry, is President, and 2d Lieutenant Charles H. Rockeelf, 5th Cavalry, Judge Advocate, is hereby dissolved.

V...The General Court Martial convened at Camp Douglas, titah, pursuant to Paragraph 1, Special Orders No. 233, series of 1870 from these Headquarters, and of which Captain Robert Nugent. 13th Infantry is President, and 1st Lieutenant Henry C. Pratt, 13th Infantry, Judge Advocate, is hereby dissolved.

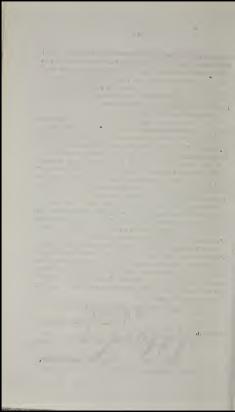
VI...The General Court Martial convened at Fort Fetterman W. T., pursaant to Paragraph 3, Special Orders No. 238, series of 1870, from these Headquarters, and of which Major Alexander Chambers, 4th Infantry, is President, and 1st Licettenant Anthony W. Vogdes, 4th Infantry, Judge Advocate, is hereby dissolved.

VII...The attention of officers acting as Judge Advocates of General Courts Martial is drawn to the necessity of prescrining and forwarding for the files of these Headquarters, the originals of charges referred to them for trial; and it is the better practice to send these enclosed with their respective records when the latter are forwarded, and not to retain them until all the records have been transmitted and the Court adjourned sine die.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

Assistant Adjutant General.

Aide-de-Camp.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, February 10, 1871.

No 7.

Subject to the approval of the Secretary of War, the Military reservation of Fort Rawlins, Utah Territory, is announced, as consisting of the following tracts of land, viz:—

The South ½ of Section 35, Township 6 South, Range 2 East of Salt Lake Meridian, and Lot 2 of Section 2, Township 7 South, Range 2 East of Salt Lake Meridian,

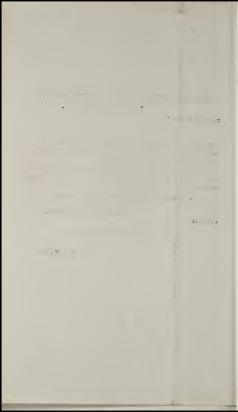
BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO. D. RUGGLES.

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Assistant Adjutant General,

Aide-de-Can





- V1. Private Edward Garvin, Company A, 14th Infantry.
- 2. Private William McMullen, Company D, 14th Infantry.
- * 3. Private George Wilson, Company I, 4th Infantry.
- . 5. Private John W. Myers, Company D, 14th Infantry.
 - 6. Sergeant Isaac Meuke, Company C, 4th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebraska, February 11, 1871.

No 8.

I...Before a General Court Martial which convened at Fort Sanders, W. T., parsuant to Paragraph 2, Special Orders No. 242, series of 1870, from these Headquarters, and of which Major Matthew M. Blunt, 14th Infantry, is President, and 1st Lieutenant Josiah A. Shee'z, 4th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Edward Garvin, Company A, 14 Infantry.

CHARGE-Desertion.

PLEA-Not Guilty.

FINDING-Not guilty of desertion, but guilty of absence without leave.

SEXTENCE—To forfeit to the United States fifteen dollars per month of his monthly pay, for three months.

The Court is thus lenient in consideration of the length of time

The Court is thus lenient in consideration of the length of time the prisoner has already been in confinement.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private William McMullen, Company D, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private William McMullon, Company D, 14th Infantry, did interfere with Sergeant Jacob Ryan, Company D, 14th Infantry, while in the execution of his duty as non-commissioned officer, by foreibly attempting to resene a prisoner, one Private Joseph Gould, Company D, 14th Infantry, from the enstody of said Sergeant Jacob Ryan, while he, the said Sergeant, was taking the said Private Joseph Gould to the post guard house; the said Private William McMullen, using the expression that he (the Sergeant) "ought not to rush the prisoner to the guard house as he would make nothing by it;" or words to that effect.

Specification 2—In this that he, Private William McMullen, Company D, 14th Infantry, upon being ordered by Sergeant Jacob Rygue Company D, 14th Infantry, to cease his interference with him (the said Sergeant) in the execution of his duty, or he (the said McMullen,) would be taken to the guard honse, did reply in a disrespectful manner—"I'll bet you a dollar you don't do it," or words to that effect.

Specification 3—In this that he, Private William McMullea, Company D, 14th Infantry, while Sergeant Jacob Ryan Company D, 14th Infantry, with a file of men were preparing to take him to the guard house, did take a double barrelled shotgun, loaded and capped, and go outside the quarters of Company D, 14th Infantry, and upon the said Sergeant Jacob Ryan proceeding to arrest him and attempting to take the gun from him, did resist, and when asked for what purself and to prevent myself from being taken to the guard house,"—or words to that effect.

Specification 4—In this that he, Private William McMullen, Company D., 14th Infaurry, while being taken to the guard house by Sergeant Jacob Ryan, Company D, 14th Infaurry, and a file of men, did in an insubordinate manner say to said Sergeant Jacob Ryan—"put down your arms and I will show you that even now you cannot take ne to the guard house,"—or words to that effect.

All this at or near Fort Sanders, W. T., on or about the 23d day of December, 1870.

PLEA-To the 1st specification-Guilty.

To the 2d specification-Not Guilty.

To the 3d specification-Not Guilty.

To the 4th specification-Not Guilty.

To the charge—Not Guilty.

SENTENCE—To forfeit to the United States ten dollars per month, of his monthly pay for the period of six months; and to be confined at hard lahor in charge of the post guard for the same period.

In this case the proceedings do not show affirmatively that the prisoner was offered the right of cross-examination. This should never be left in doubt by the record, but should always be distinctly stated. The proceedings, findings, and sentence are therefore disapproved. Private McMullen, will be restored to duty.

3d. Private George Wilson, Company I, 4th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification 1-In this, that Private George Wilson, Company I, 4th Intantry, did refuse to go to the guard house when ordered by the 1st Sergeant of his company, and when Corporal Bernard Brady, Company, I 4th Infantry, attempted to take him to the guard house, did resist said Corporal, threatening him with a loaded musket. This at Fort Sanders, W. T., on or about December, 5th, 1870.

Specification 2-In this, that Private George Wilson, Company I. 4th Infantry, did discharge a rifle in rear of the officer's quarters at Fort Sanders, W. T., This on or about December 5th, 1870.

Specification 3-In this, that Private George Wilson, Company I, 4th Infantry, did resist a patrol of the guard sent to arrest him, and did point a loaded rifle at the patrol, threatening to fire upon them.

This at Fort Sanders, W. T., on or about December 5th 1870.

Specification 4-In this that Private George Wilson, Company I, 4th Infantry, when the officer of the guard had seized his rifle and ordered him to give it up, did refuse to do so.

This at or near Fort Sanders, W. T., on or about December 5th, 1870.

PLEA- Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor in charge of the guard for the period of eight months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved; but the sentence is mitigated to read "six months" instead of "eight months;" and as modified will be duly executed.

4th. Private Oscar H. Luke, Company I, 4th Infantry.

CHARGE 1-Violation of the 21st Article of War.

CHARGE 2-Wilful disobedience of orders.

· PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor in charge of the guard for the period of two months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private John W. Myers, Company D, 14th Infantry.

CHARGE 1.—Theft, to the prejudice of good order and military discipline.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private John W. Myers, Company D.
14th Infantry, did, about tattoo on the night of January 2d, 1871, go
into the company quarters of Company D, 14th Infantry, and did
have in his possession at that time, a spotted lap-rag or blanket, and
did offer to sell the same for five dollars; remarking at the time
that he had stolen it, and that he had stolen something every time
he went to Laramic City; or words to that effect.

Specification 2—In this, that Private John W. Myers, Company D, 14th Infantry, did have rolled up in his bed-sack on his bunk, in the quarters of Company D, 14th Infantry, on the morning of January 4th, 1871, a spotted lap-rug or blanket; the said spotted laprug or blanket, having been stolen on the night of January 2d, 1871, and being the property of, and claimed by Wright and Bramwell, of Laranie City, W. T. All this at or near Fort Sanders, W. T., on or about the dates

Rebove specified.

Plea—Not Guilty.

PLEA-Not Guinty.

Fixding-Of the specification 1st charge-Guilty, except the words-"in front of the post trader s."

Of the 1st charge-Guilty.

Of the 1st specification 2d charge—Guilty, except the words—"that he had stolen it and—." Of the 2d Specification 2d charge—Guilty.

Of the 2d charge-Guilty.

SENTENCE.—To be confined at hard labor in charge of the guard for the period of six months, wearing a ball weighing twenty-four pounds attached to his left leg by a chain two feet long; and to forfeit to the United States ten dollars per mouth, of his monthly pay for four mouths; and at the expiration of his confinement, to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this ease are approved and confirmed, and the sentence will be duly exceuted

6th. Sergeant Isaac Menke, Company C, 4th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Sergeant Bauae Menke, Company C, 4th Infantry, Acting Commissary Sergeant, Fort Sanders, W. T., a soldier duly enlisted in the service of the United States, did, on or about the 30th day of December, 1870, in a disrespectful and unsoldierly manner towards Captain E. M. Coates, 4th Infantry, say, in a violent manner, and with both hands in his pockets—"I am an eplisted man, but I have been too long in the service for you to talk so to me, I will report you to the Commanding Officer;"—repeating it with other words to the same effect, several times.

All this at Fort Sanders, W. T., on or about the 30th day of December, 1870.

Specification 2—In this that he, the said Sergeant Isaac Menke, Company C, 4th Infantry, did, in violation of Army Regulations, write and forward direct to the post Commander, a communication complaining of the action towards him, of his company Commander, Captain E. M. Coates, 4th Infantry.

All this at Fort Sanders, W. T., on or about the 30th day of December, 1870.

Specification 3.—In this that he, the said Sergeant Isaac Menke, Company C. 4th Infantry, did, in a communication sent by him to the post Commander, make the following statement;—"Shortly after, Captain Coates came to the issuing room in a perfect rage,"—said statement being utterly false.

All this at Fort Sauders, W. T., on or about the 30th day of December, 1870.

Specification 4—In this, that the said Sergeant Isaac Menke, Company C, 4th Infantry, when Lieutenant S. II. Bogardus, 4th Infantry did send an order for subsistence stores for his own use, accompanying the order with a five-dollar bill, did refuse to let Lieutenant Bogardus have the stores required, because the exact amount was not sent, (the goods amounting to less than five dollars;) and when requested by the messenger to allow him to have the stores until Lientenant Bogardus returned from a temporary absence at Laramie City, did refuse, saving in a surly manner-"1 can't let the goods go without the money,"-or words to that effect. All this at Fort Sanders, W. T., on or about the 17th day of De-

cember, 1870. Specification 5-In this, that the said Sergeant Isaac Menke, Com-

pany C, 4th U. S. Infantry, did, when Lieutenant L. H. Robinson, 14th Infantry, sent to Lieutenant J. W. Bubb, 4th Infantry, Acting Commissary of Subsistence, Fort Sanders, W. T., to purchase some salt to be used in repairing the post guard house, send back a message to the said Lieutenant Robinson, as follows :-- If Lieutenant Robinson will apply through the proper channels he can get it."or words to that effect.

All this at Fort Sanders, W. T., on or about the 17th day of December, 1870.

Specification 6-In this, that Sergeant Isaac Menke, Company C, 4th Infantry, did, without cause, engage in a quarrel with Private Patrick Murray, Company I, 4th Infautry, and did make use of the following language towards him :- "You G-d d-d puppy, your house is nothing but a low crib, and I will have you put out of it,"repeating it with other offensive expressions a number of times.

All this at Fort Sanders, W. T., on or about the 15th day of November, 1870.

CHARGE 2-Absence without leave.

PLEA-Not Guilty.

FINDING-Of the 1st specification 1st charge-Guilty.

Of the 2d specification 1st charge-Guilty.

Of the 3d specification 1st charge-Guilty.

Of the 4th specification 1st charge-Guilty, except the words-"in a surly manner"-and attach no criminality thereto.

Of the 5th specification 1st charge-Not Guilty.

Of the 6th specification 1st charge-Guilty.

Of the 1st charge-Guilty. Of the specification 2d charge-Not Guilty.

Of the 2d charge-Not Guilty.

SENTENCE-To be reduced to the rank of a private soldier.

In this case the prisoner is thought to be shown by the evidence, to be a faithful and valuable non-commissioned officer, closely obedient to orders, and strict in the performance of his duty. He showed, it is probable, some irritation of manner, when rebuked by Captain Coates, (himself not free from anger.) for an act done in strict compliance with a positive order of the prisoner's immediate commander-the Commissary of Subsistence, in whose office he was detailed for duty-and threatened that "his conduct should be remembered against him." His addressing, also, a complaint, on account of this threat, direct to the Post Adjutant, was contrary to the rules of the service. But this latter fault was, no doubt, the result of ignorance of these rules, and committed without intentional disrespect; while the act of the accused in declining to issue to Captain Coales, more meat than the latter's order called for, was in obedience to the plain directions of the Commissary of Subsistence. and therefore no justification of language equivalent to a threat of future punishment, uttered by Captain Coates. Except for the sudden heat which sprung from a sense of the injustice of the threat referred to, the Sergeant deserves commendation for the firmness shown by him in declining to disobey an order of the Commissary, in favor of an officer of higher rank.

His quarrel with Private Murray, and the lauguage used by him on the occasion, were not justifiable; but his manner changed as soon as he learned that Murray was acting with the permission of a commissioned officer; and it is clear that he was momentarily irritated by what he thought was an act of unauthorized impertinence.

Several allegations of a want of respect in the prisoner's treatment of officers, are satisfactorily explained and refuted by the testimony both for the prosecution and defence, and the Court acquits him under them. The implication suggested by their introduction among the specifications—that the prisoner is constantly, or very frequently, surly, angry, and offensive in manner towards his officers—therefore fails.

Taking the case as a whole, it is the belief of the reviewing authority, that a lenient judgement upon the facts of the case is called for at his hands.

The proceedings, findings, and sentence are approved, but the sentence is remitted.

Sergeant Menke, will be restored to duty.

H...The General Court Martial convened at Fort Sanders, W. T., pursuant to Paragraph 2, Special Orders No. 242, series of 1870, from these Headquarters, and of which Major Matthew M. Blunt, 14th Infantry, is President, and 1st Lieutenant Josiah A. Sheetz 4th Infantry, is Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

G. C. M.

- 1. Private W. S. Parker, Company H, 14th Infantry.
- 2. Private William Pierson, Company E, 9th Infantry.
- 3. Private James F. Birchstead, Company H, 3d Artillery,
- 4. Private Richard Nagle, Company H. 14th Infantry.
- 5. Private Willam McCarthy, Company E, 5th Cavalry.
- 6. Private C. Taylor, Company E, 5th Cavalry.
- 7. Private J. Martin, Company B. 9th Infantry.
- 8. Private Michael Nolun, Company B, 14th Infantry.
- 9. Private Samuel McCulloch, Company E, 5th Cavalry.
- 10. Private Thomas Kelly, Company D, 5th Cavalry.
- 11. Private James E. Derwent, Company D, 5th Cavalry. 12. Private Frederick Avery, Company D, 5th Cavalry.
- 13. Private Michael Kainey, Company H, 9th Infantry.
- 14. Private John Lannen, Company F, 9th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, February 13, 1871,

GENERAL ORDERS,) No 9.

I...Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Orders No. 237, series of 1870, from these Headquarters, and of which Captain John D. Devin, 9th Infantry, is President, and Captain Robert H. Montgomery, 9th Infantry, Judge Advocate, were arraigned and tried :-

1st. Private W. S. Parker, Company H, 14th Infantry

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification 1-In this that he, Private W. S. Parker, Company H, 14th Infantry, having been detailed in his tour of fatigue, aud ordered by Sergeant Frederick Roth, Company H, 14th Infantry, to cut wood for his company commander, 1st Lieutenant J. E. Quentin, 14th Infantry, did say unto said Sergeant Frederick Roth, -"Hell and be d-d, always cutting wood, these are your general orders,"-or words to that effect.

This at Fort D. A. Russell, W. T., on or about the 19th of December, 1870.

Specification 2—In this that he, Private W. S. Purker, Company II, 14th Infantry, while being taken to the guard house, did threaten and say unto Sergeant Frederick Roth,—"you are nothing but a d—d * * . I will pay you when I get out again," or words to that effect.

This at Fort D. A. Russell, W. T., on or about the 19th of December, 1870.

PLEA-Not Guilty.

FINDING -Guilty.

SENTENCE—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of ten days.

The proceedings, findings, and sentence in this case are approved, but in view of the prisoner's past confinement, he will be released on receipt of this order.

2d. Private William Pierson, Company E, 9th Infantry.

Charge 1—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private William Pierson, Company E, 9th Infantry, while undergoing a sentence for desertion, imposed by General Court Martial, did escape from the custody of military authority, and remain absent until delivered up a prisoner, at Fort D. A. Russell, W. T., on the 22d of November, 1870.

This at Fort D. A. Russell, W. T., on or about the 24th of December, 1870.

Charge 2-Desertion.

PLEA-Guilty.

FINDING-Guilty.

Sentence—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of five months, wearing a twelve-pound ball attached to his left leg by a six-foot chain.

The proceedings and findings, in this case are approved, and the sentence, although inadequate to the offense, will be duly executed.

3d. Private James F. Birchstead, Company H, 3d Artillery.

CHARGE 1-Desertion.

CHARGE 2-Violation of the 22d Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor, at the post where his company may be serving, for the period of one year, wearing a ball weighing twenty-four pounds attached by a three-foot chain to his left leg, then to be dishonorably discharged the service of the United States; to be drummed out of the garrison, forfeiting all pay and allowances that are due or to become due.

The proceedings, findings, and sentence in this case are approved, but the term of imprisonment is reduced to eight months, in order that the prisoner may not be discharged in the dead of Winter. As mitigated the sentence will be duly executed.

4th. Private Richard Nagle, Company H, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Richard Nogle, Company H.
41th Infantry, having been duly mounted as a member of the post
guard at Fort D. A. Russell, W. T., and having prisumers placed
under his charge, sent to work at the post saw-mill, did permit one
of them, a general prisoner, viz;—Private William Rogsdule, Company H., 14th Infantry, to escape from his custody, and did fail to
report the fact until questioned as to the whereabouts of the said
prisoner by Sergeant Keats, Company B, 5th Cavalry, acting provest
Sergeant.

This at Fort D. A. Russell, W. T., on or about the 5th day of January, 1871.

PLEA-To the specification-Guilty.

To the charge-Not Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay per month, for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private William McCarthy, Company E, 5th Cavalry.

Charge—Drunkenness on duty, in violation of the 45th Article of War.

PLEA- Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor in charge of the guard

at the post where his company may be serving, for the period of three months. The proceedings, findings, and sentence in this case are approved

and confirmed, and the sentence will be duly executed.

6th. Private C. Taylor, Company E, 5th Cavalry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification-In that he, Private C. Taylor, Company E, 5th Cavalry did use towards Sergeant J. Leahy, E Company, 5th Cavalry, threatening and abusive language, saying,-"That son of a h-h. I can put a head on him,"-or words to that effect, the said Sergeant Leahy, being in the discharge of his duty.

This at Fort D. A. Russell, W. T., on or about January 3d, 1871. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars per month of his monthly pay, for the period of three months, and to be confined in charge of the guard at the post where his company may be serving, for the same period.

The specification in this case is imperfect, in failing to allege the circumstances under which the prisoner made use of the disrespectful language in question. It is probable that he uttered the words alleged, in public, and in an insubordinate manner, and to an audience of enlisted men; but for aught that appears in the proceedings he may have said them in soliloquy, unconscious of listeners. This defect would have been corrected had the pleadings been referred to these Headquarters before the trial of the case, for the revision of the reviewing authority; the omission of which reference can very rarely be justified.

The proceedings, findings, and sentence are approved. The sentence is mitigated to confinement for one month and forfeiture of ten dollars of his pay, for the same period; and as modified the sentence will be duly executed.

7th. Private J. Martin, Company B, 9th Infantry.

CHARGE-Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Sth. Private Michael Nolan, Company B, 14th Infantry.

PLEA-Guilty.

FINDING-Guilty.

SETTENCE—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of fifteen days, and to forfeit to the United States ten dollars of his monthly pay, for one month.

The proceedings, findings, and sentence in this case are approved, but in view of the prisoner's long service, the confinement is remitted. The remainder of the sentence will be duly executed.

9th. Private Samuel McCulloch, Company E, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Samuel McCulloch, Company E, 5th Cavalry, did on the evening of the First day of January, 1871, enter the quarters of Company E, 5th Cavalry, in a drunken and boisterous manner, and did assault Private John Gill of said company, with the intention of doing him bodily harm.

This, in the quarters of Company E, 5th Cavalry, at Fort D. A. Russell, W. T., on or about January 1st, 1871.

Specification 2—In this that he, Private Samuel McCulloch, Company K, 5th Cavalry, did on the evening of the First day of January, 1871, appear in the quarters of Company E, 5th Cavalry, brandishing a large kuife and uttering threats against the lives and persons of Sergeant John Lahey, and Private Nathaniel Lick, of Company E, 5th Cavalry; and when seized upon and ordered to stop, by Sergeant James McDonald, Company E, 5th Cavalry, (Sergeant McDonald, being at the time in charge of the barrack room), did attempt to resist the said Sergeant McDonald, buy striking at him with his kuife, until finally overpowered and disarmed by Sergeants McDonald and Farrigan, Company E, 5th Cavalry.

This in the quarters of Company E, 5th Cavalry, at Fort D. A. Russell, W. T., on or about January 1st, 1871.

Specification 3.—In this that he, Private Samnel McCulloch, Company E, 5th Cavalry, when being taken to the gnard house by Corporal Samuel A. Frask, Company E, 5th Cavalry, did resist said Corporal Frask, and did attempt to draw a second knife (which was concealed about his person.) with the intention of escaping from the said Corporal Frask, and doing him bodily injury, until overpowered and taken to the guard house by a detail of men.

All this at Fort D. A. Russell, W. T., between the bours of 9. P. M., and 10, P. M., on the First of January, 1871.

PLEA—To the 1st specification—Not Guilty.

To the 2d specification-Not Guilty.

To the 3d specification-Not Guilty.

To the charge-Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification—Guilty, except the words; "and uttering threats against the lives and persons of Sergeant John Lahey, and Private Nathaniel Lick, Company E, 5th Cavalry,"—and "striking at him with a knife,"—and of those words—Not Guilty.

Of the 3d specification—Guilty, except the words,—
"and did attempt to draw a second kuife, which was
concealed about his person,"—and of these words—
Not Guilty.

Of the charge-Guilty.

SEXTEXCE—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of three months, and to forfeit twelve dollars per month of his monthly pay, for the same period.

In this case the prisoner pleads not guilty to every specification, and guilty to the charge. The Court should have ordered a plea of not guilty to be entered under the charge. With this exception, the proceedings, findings, and sentence are approved, and the sentence will be duly executed.

10th. Private Thomas Kelley, Company D, 5th Cavalry.

CHARGE-Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty. FINDING-Guilty. SENTENCE—To be confined at hard labor in charge of the guard where his company may be serving, for the period of three months.

The proceedings, findings, and scattened in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private James E. Derwent, Company D, 5th Cavalry.

Charge 1—Desertion.

CHARGE 2-Violation of the 38th Article of War.

PLEA-Not Guilty.

FINDING—Of the first charge and specification—Not Guilty, but guilty of absence without leave.

Of the 2d charge and specification—Guilty.

SENTREE—To forfeit one-half of his pay per month until the sum of fifty dollars-money value of the carbine—be refunded to the United States, and to be confined at hard labor under charge of the guard for six months

The proceedings, findings, and sentence in this case are approved. The sentence is modified to read—To forfeit ten dollars per month of his pay, for five months, and to be confined at hard labor under charge of the guard for the same period. As mitigated, the sentence will be duly executed.

12th. Private Frederick Avery, Company D, 5th Cavalry.

CHARGE—Desertion.
PLEA—Not Guilty.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE—To be confined at hard labor under charge of the guard for the period of three months, at the post where his company may be serving; and to forfeit to the United States, ten dollars of his monthly pay, per month, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed

13th. Private Michael Kuiney, Company H, 9th Infantry.

Charge—Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States, ten dollars of his monthly pay, per month, for three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

14th. Private John Lannen, Company F, 9th infantry.

CHARGE—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this, that Private John Lannen, Company F, 9th Infantry, while acting as a sentinel in charge of a working party of prisoners, did allow one of said prisoners—Private Alley Kane, Company B, 14th Infantry,—to make his escape.

This at or near Fort D. A. Russell, W. T., on or about the 9th day of January, 1871.

PLEA-Not Guilty.

FINDING ... Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and aquittal in this case are approved. Private Lannen, will be restored to duty.

By Command of Brigadier General Augur: GEO. D. RUGGLES,

Assistant Adjutant General.

Aida da Cama

G. C. M.

OMAHA BARRACKS.

- 1. Private Leopold Hohman, Company K, 9th Infantry.
- 2. Private Michael Kelly, Company C, 9th Infantry.
- 3. Private Joseph S. Walters, Company C, 2d Cavalry.
- Private George Lavender, Company E, 2d Cavalry.
 Private Edward C. Hughes, Company G, 14th Infantry.
- 6. Private Huzard Watson, Company C, 4th Infantry.
- 7. Private Jacob Hoffelder, Company K, 9th Infantry.
- 8. First Sergeant John N. Lawson, Company K, 2d Cavalry.
- 9. Private John Wilson, Company A, 9th Infantry.
- Wagoner George Day, Company C, 2d Cavalry.
 Private Charles Baker, Company K, 2d Cavalry.
- 12. Private Henry McCann, Company D, 9th Infantry.
- 13. Private John A. Atley, Company A, 9th Infantry.
- 14. Private Isaac R. Bagley, Company A, 9th Infantry.
- 15. Private Willard Rogers, Company A, 9th Infantry.
- 16. Private John Russell, Company C, 2d Cavalry.
- Private John T. Mowry, Company K, 9th Infantry.
 Private Richard Williams, Company C, 9th Infantry.
- 19. Private Edward Sheehan, Private Marcus Dame, Company F, 14th Infantry.
- 20. Private Edward Butts, Company E, 2d Cavalry.
- 21. Private Peter Mason, Company M, 2d Cavalry.
- 22. Private Philip O' Connell, unassigned, 1st Cavalry.
- 23. Private Franz Holter, Company G, 14th Infantry.
- 24. Private John Daly, Company C, 2d Cavalry.
- Private William Lawless, Company F, 14th Infantry.
 Private John D. Satterfield, Company G, 14th Infantry.
- 27. Private James Williams, Company K, 2d Cavalry.
- 28. Private Michael Carroll, Company M, 2d Cavalry.
- 29. Sergeant James W. Rolfe, Company E, 2d Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, February 14, 1871.

GENERAL ORDERS, No 10.

1.. Before a General Court Martial which convened at Omaha

Barracks, Neb., pursuant to Puragraph 2, Special Orders No. 3, current series, from these Headquarters, and of which Captain David Konnes, 14th Infantry is President, and 2d Lieutenant John II. Conle, 9th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Leopold Hohman, Company K, 9th Infantry.

Charge—Neglect of duty, to the preindice of good order and military discipline.

Specification 1—In that Private Leopold Holonia, Company K, 9th Infinitry, a member of the guard mounted at Omnha Barracks, Neb., on the morning of December 21st, 1870, and being placed in charge of three prisoners, did allow one prisoner [Julius Wink, Company B, 7th Infinitry,) to scape.

Specification 2—In that Private Leopold Holman, Company K, 9th Infanry, a member of the guard mounted at Omahu Barracks, Neh, on the morning of December 21st, 1870, having been placed in charge of three prisoners, and having allowed one prisoner (Private Jutius Wink, Company B, 7th Infantry,) to escape, did fail and omit to report the same to the proper authority at the time.

All this at Omaha Barracks, Neb., on the date above specified.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay, for the period of six months.

In this case the proceedings, findings, and sentence are approved. The necessed erred in permitting the prisoner to go into the hospital; it was nesponsibility he should not have assumed, his proper course being to have called the corporal of the guard. As his act originated, however, in a good motive, and his prisoner escaped from him by treachery and not his own negligence, the forfeiture is reduced to ten dollars for two successive months. As untigated, the sentence will be duly excented.

2d. Private Michael Kelly, Company C, 9th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING -Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard for sixty days; on each alternate day to carry a log weighing twenty five pounds, between the hours of reveille and retreat, excepting one half hour for each meal.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Joseph S. Walters, Company C, 2d Cavalry

Charge—Descrion. Plea—Not Guilty.

Finning-Guilty,

SETEMMENT—To be confined at hard labor under charge of the gaped for six mounts; to forefeit all may and allowances now due or to become due, except the just dues of the handress; and, at the expiration of the six month's confinement, to be dishonorably discharged the service of the United States.

The Department Commander is not satisfied, by the evidence in this rase, that Private Walters has been technically guilty of the crime of desertion. He has committed, undoubtedly, several very grave offences-drunkenness and absence without leave-but the animus non revertendi, which constitutes the distinction between absence without leave and desertion appears to be wanting to his offense. Had he intended to desert it is improbable he would have left several months pay due him; and equally improbable he would have openly remained in Omaha in soldier's milform. It is thought the evidence shows the prisoner to have wandered away from the barracks in a fit of intoxication, coming to his senses when in civil confinement in Omaha, under the charge of drunkenness and disorder; and that reckless and ashamed to go back, he remained in town a short time, until he heard the nolice were in search of him. when he surrendered himself to the Deputy Marshal to be returned to his post; calling himself a deserter, partly in ignorance, and partly to enable the Marshal to make thirty dollars by restoring him to his command, the Marshal having treated him kindly while in his hands. He is not made a deserter by the entry of his name as such in the company books, nor by his calling himself so, nuless the intent not to return is proved or can be reasonably inferred.

It would have been well-had the officer drawing the charge of desertion, added thereto the charge of absence without leave and drunkeuness. As it is, however, desertion being the only charge, and the prisoner not appearing to have committed this offense in its full meaning, it is believed be should be restored to duty.

Private Walters has merited, for misconduct while under the influence of drink, punishment which he escapes by a technicality

which is interpreted in his favor, in the hope that he will yet redeem his character by attention to duty and sobriety.

The proceedings, findings, and sentence are disapproved. Private Walters will be restored to duty.

4th Private George Lavender, Company E, 2d Cavalry.

CHARGE 1-Absence without leave.

CHARGE 2-Conduct to the prejudice of good order and military discipline.

Specification 1-In this that he, Private George Lavender, Company E, 2d Cavalry, did become so drunk as to be unable to perform the duties of a soldier.

This at Omaha Barracks, on the 19th of December, 1870.

Specification 2-In this that he, Private George Lavender, Company E, 2d Cavalry, did, upon being ordered to the guard house by 1st Sergeant William Land, Company E, 2d Cavalry, refuse to obey said order, saying-"I'll not go,"-or words to that effect, and did strike Sergeant Land and attempt to choke him,

This at Omaha Barracks, December 19th, 1870.

Specification 3-In this that he, Private George Lavender, Company E, 2d Cavalry, did attempt to use a carbine against 1st Sergeant William Land, Company E, 2d Cavalry, Sergeant Land being in the performance of his duty.

This at Omaha Barracks, Neb., December 19th, 1870.

CHARGE 3-Theft, to the prejudice of good order and military discipline.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge -Guilty.

To the 1st specification 2d charge-Guilty.

To the 2d specification 2d charge-Guilty.

To the 3d specification 2d charge-Not Guilty.

To the 2d charge-Guilty,

To the 1st specification 3d charge-Not Gutlty.

To the 2d specification 3d charge-Not Guilty.

To the 3d specification 3d charge-Not Guilty.

To the 3d charge-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty,

Of the 1st specification 2d charge-Guilty.

Of the 2d specification 2d charge-Guilty.

Of the 3d specification 2d charge-Not Guilty.

Of the 2d charge-Guilty.

Of the 1st specification 3d charge-Not Guilty,

Of the 2d specification 3d charge-Not Guilty.

Of the 3d specification 3d charge-Guilty.

Of the 3d charge-Not Guilty, but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE-To be confined at hard labor under charge of the guard, for the period of ninety days; to carry a log of wood, weighing twenty-five pounds, under charge of a sentinel, on each alternate day, between the hours of reveille and retrent, excepting one half hour for each meal; and to forfeit to the United States twelve dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved. The sentence is so modified that the prisoner will not be required to carry the log on Saturday or Sunday of each week during his confinement, and as mitigated will be duly executed.

5th. Private Edward C. Hughes, Company G, 14th Infantry,

CHARGE-Violation of the 45th Article of War. PLEA-Guilty.

FINDING-Guilty.

SEXTENCE-To be confined in charge of the guard for fifteen days. carrying a log weighing twenty-five pounds, from reveille to retreat, allowing one-half hour for each meal.

The proceedings, findings, and sentence in this case are approved. The sentence is so modified that the log will be carried on alternate days only; and as mitigated will be duly executed.

6th, Private Hazard Watson, Company C, 4th Infantry,

CHARGE 1-Desertion.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty, FINDING-Of the 1st charge and specification-Guilty.

Of the 2d charge and specification-Not Guilty.

SENTENCE-To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress : to be confined in charge of the guard for the period of six months, and

to be dishonorably discharged the service of the United States at the expiration of that time.

The proceedings and findings in this case are approved, and the sentence—although too lenicit for the adequate punishment of the offense—will be duly executed.

7th. Private Jacob Hoffelder, Company K, 9th Infantry.

CHARGE-Disobedience of orders.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE.—To be confined at hard labor under charge of the guard, for twenty days; and to forfeit to the United States ten dollars of his mouthly pay, per month, for the period of three mouths.

The proceedings, and findings in this case are approved; and the sentence—although too lenient for the adequate punishment of the offense—will be duly executed.

8th. First Sergeaut John N. Lauson, Company K, 2d Cavalry.

Charge 1—Conduct to the prejudice of good order and military discipline.

Specification 1—In that he, John N. Lansson, lat Sergeant, Company K. 2d Cavaley, did, in the presence of emisted men, speaking of his superior officer, 1st Licatemant John A. Wünless, 2d Cavalry, call bins, the said Licatemant Wanless,—"a.d—d bound,"—or words to that effect.

This at camp on Looking-Glass Creek, Neb., on or about the 20th day of July, 1870.

Specification 2—In that he, John N. Louzson, 1st Sergeant, Company K. 24 Cavalry, did. in the presence of enlisted men, speaking of his superior officer, 1st Lieutemant John A. Wanless, 2d Cavalry, call him, the said Lieutemant Wanless,—"a son of a b—b₁"—or words to that effect.

This at eamp on Looking-Glass Creek, Neb., on or about the 25th day of August, 1870.

Specification 3—In that he, John N. Lausson, 1st Sergeant, Company K. 24 Cavalry, after having charged on the master and pay rolls of Company K. 24 Cavalry, to Michael McNamarc, Private Company K. 24 Cavalry, one pound of tobacco, did refuse to deliver the tobacco to the said Michael McNamard, Private Company K. 24 Cavalry.

This at camp on Looking Glass Creek, Neb., on or about the 25th day of August, 1870.

Specification 4—In that he, John N. Lenzson, 1st Sergeaut, Company K. 2d Cavalry, did take and receive from Sergeaut R. P. Barbour, Company K. 2d Cavalry, the soun of ten dollars; for which some, he, the said 1st Sergeaut John N. Lawson, did agree to see that one government pistol lost by said Sergeaut Barbour, should not be charged against him, the said Sergeaut Barbour, on the muster and pay-rolls of his company.

This at Fort Laramie, W. T., on or about the 15th day of October, 1869.

Specification 5.—In that he, John N. Lausson, 1st Sergeant Company K. 2d Cavalry, did fail to report to his captain, James Eagan, Captain 2d Cavalry, commanding Company K, 2d Cavalry, that one pistol, the property of the United States, and for which the said Captain Eagan was responsible, was lost.

This at Fort Lammie, W. T., on or about the 15th day of October, 1869.

Specification (i—In that be, John N. Lausson, 1st Sergeaut, Company K. 2d Cavalry, did say to Corporal Diinpeald, Who was in charge of the company rations of Company K. 2d Cavalry, and direct him, the said Corporal Diinpeald, to send a quantity of sugar to the said John N. Lausson, 1st Sergeant, Company K. 2d Cavalry, for his own use; and upon refusal of said Corporal Diinpeald to furnish the signer, the said Sergeant Lausson did say,—"You want to understand that I um 1st Sergeant of this company, and if I send for sugar or anything else, if it takes the last grain, I want you to send it to me, and by G—d what I say the Captain backs me in it, it don't make a d—d bit of difference what it is."

This at camp on Looking-Glass Creek, Neb., on or about the 1st day af August, 1870.

Specification 7—In that he, John N. Loneson, 1st Sergeant, Company K, 2d Cavalry, while on duty at Fort Fetterman, W. T., diât trade to some Arraphoe Indians then at that post, part of the company rations and ammunition for beaver skins for his own use.

This at Fort Fetterman, W. T., on or about the 20th day of October, 1869.

Specification 8-In this, that the said 1st Sergeant John N. Lowson, Company K, 2d Cavalry, did in a highly insubordinate and offensive manner approach his superior officer, 1st Lieutenant John A. Wanless, 2d Cavalry, and did say,—"Now Wanless, I have returned Roach to duty with the company, he is doing you nor any one else any good,"—meaning Private Roach of Company K, 2d Cavalry, who was at the time in charge of the horse of said Lieutenant Wanless.

This at Omaha Barracks, Neb., on or about the 25th of November, 1870.

Charge 2-Violation of the 44th Article of War.

PLEA-Not Guilty.

FINDING-Of the 1st specification 1st charge-Not Guilty.

Of the 2d specification 1st charge-Not Guilty.

Of the 3d specification 1st charge-Not Guilty.

Of the 4th specification 1st charge-Not Guilty.

Of the 5th specification 1st charge-Not Guilty.

Of the 6th specification 1st charge-Not Guilty.

Of the 7th specification 1st charge-Not Guilty.

Of the 8th specification 1st charge-Guilty.

Of the 1st charge—Guilty.

Of the specification 2d charge—Guilty, but attach no

criminality thereto.

Of the 2d charge-Not Guilty,

SENTENCE-To be reduced to the ranks as a private soldier.

In this case, of all the long list of charges alleged against Sergeant Lawson-there being eight specifications under the first charge alone, some of them detailing very fraudulent and dishonorable acts, and going back upwards of eighteen mouths-he is found guilty of but one, namely, that alleging a certain want of respect in his manner on one occasion while speaking to Lieutenant Wanless. Even in this particular, the character given the prisoner by those officers who have known him longest, is so excellent, and his acquittal, under so many grave accusations, is so creditable, that it is not difficult to believe that the two witnesses who depose to his unbecoming manner at the time, were mistaken in their judgment, especially as one of them, now returned to civil life, was the officer by whom these grossly cumulative charges were preferred, and the other was not connected with the same company with the prisoner, and could not have been very familiar with his usual demeanor. However this may be, Sergeant Lawson seems to have passed through a service of nine years in the army without any serious blemish on his military record, and to have steadily preserved the respect and esteem of his officers during that time; and it is, therefore, not easy to suppose that he would, without great provocation, have so suddealy forgotten his plainest duty. The eighth specification, under which he has been found guilty, implies, without directly alleging, that Sergeant Lawson improperly volunteered his insubordinate remarks to Lieutenant Wanless, without being first addressed by that officer, while the evidence shows the contrary to be the fact .-The finding as it stands, therefore, cannot be fully approved without injustice.

The general impropriety of storing up offenses agarist an accused person, to be brought forward long after the alleged acts of misconduct were committed, and when the lapse of time has rendered their refutation a matter of extreme difficulty, has rarely been illustrated more forcibly than in this case. There is generally in cases like this, still more when the accused party is a non-commissioned officer, a very strong suggestion of malice and personal ill-will on the part of the accuser. The proceedings and findings, with the exceptions indicated above, are approved. The sentence is approved, and remitted.

Sergeant Lawson will be restored to duty.

9th. Private John Wilson, Company A, 9th Infantry. CHARGE-Desertion.

PLEA-Guilty.

FINITING-Guilty.

SENTENCE-To forfeit to the United States fourteen dollars per mouth of his mouthly pay, for the period of six mouths; to make good the time lost by desertion; and to be restored to duty.

The proceedings, findings, and sentence are approved, and the · sentence will be duly executed. Nothing appears in the record to show the reason for a sentence

of such singular leniency. 10th, Wagoner George Day, Company C, 2d Cavalry.

CHARGE-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE -To forfeit ten dollars per mouth of his mouthly pay, for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private Charles Baker, Company K, 2d Cavalry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In that Private Charles Baker, Company K, 2d Cavalry, did enlist in the said company on the 8th day of April, 1870, and to bring about said enlistment, did sign a certificate on said enlistment papers, that he had never been previously dishonorably discharged the service of the United States, and that he knew of no impediment existing to his enlisting in the service; which statement was false and intended to deceive the officer who enlisted him, (1st Licetenant W, P. Clark, Adjutant 2d Cavalry,) imasmuch as he, the said Private Baker, had been previously dishonorably discharged the service of the United States, from Company M, 2d Cavalry, by sentence of a General Court Martial, under the name of Courad Burk, as per General Urders No. 30, Headquarters Department of the Platte, Omaha, Neb, September 16th, 1862.

This at Omaha Barracks, Neb., on or about the date specified.

Finding-Guilty.

SENTENCE—To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress, and to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

12th. Private Henry McCann, Company D, 9th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—To forfeit to the United States twelve dollars per month of his mouthly pay, for the period of six months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private John A. Atley, Company A, 9th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification 1—In that Private John A. Alley, Company A. 9th Infanty, having been relieved from extra duty in the post hospital at Omaha Barracks, January 18th, 1871, and ordered to report to his company Commander for duty, did full to comply with said order.

Specification 2—In that Private John A. Atley, Company A, 9th Infantry, did, after being absent without leave, come into the barrack-room of his company after taps, in a drunken condition, falling over wood and benches, thereby awaking a great many members of the company.

All this at Omaha Barracks, Neb., on the nights of January 18th and 19th, 1871.

CHARGE 2-Violation of the 44th Article of War.

PLEA-Guilty.

FINDING —Guilty.

SENTENCE—To forfeit to the United States twelve dollars per month of his monthly pay, for the period of three months.

The proceedings and findings, in this case are approved. The sentence is very lenient, but will be duly executed.

14th. Private Isaac R. Bugley, Company A, 9th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification—In that Private Isaac R. Bagley, Company A, 9th

Infantry, did become so drunk as to be unable to perform his duty as a soldier.

This on the 14th, 15th, 16th, 17th and 18th days of January, 1871.

at Omaha Barracks.

Charge 2—Violation of the 44th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay, for two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

15th. Private Willard Rogers, Company A, 9th Infantry.

Спавие—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Willard Rogers, Company A, 9th Infantry, having obtained permission from his company Com-

mander to be absent from tattoo roll call on the 15th day of January, 1871, and from reveille roll call on the 16th day of January, 1871, did proceed to Omnha—a distance of three miles, more or less, dressed in citizens coluting, without permission, thereby causing his arrest us a deserter for which thirty dollars reward was paid.

This at Omaha Barracks, Neb., on the day and dates above mentioned.

PLEA-Guilty.

SEXTENCE—Unity.

SEXTENCE—To refind to the United States thirty dollars—the cost of his arrest—and to be confined for one month, at hard labor in charge of the guard.

The proceedings, findings, and sentence in this case are approved.
In consideration of the prisoner's inexperience as a soldier, and
his general good character, the imprisonment is remitted. The remainder of the sentence will be duly executed.

16th. Private John Russell, Company C. 2d Cavalry,

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

Finding—Of the 1st charge and specification—Guilty.

Of the 2d charge and specification—Vot Guilty.

SEXTENCE—To forfeit to the United States all pay and allowances now due; to be confined at hard labor in charge of the guard for six months, and to furfeit to the United States ten dollars per month of his monthly pay, for the same period.

In this case the proceedings, findings, and sentence are approved, and the sentence will be duly executed.

The crime of desertion is one of the gravest an enlisted man can commit, and deserves the severest punishment. Where, however, the deserter manifests his repentance by a voluntary surrender to the military authority, he may generally look for a element consideration of his offense. The prisoner, in this case, is shown to have returned voluntarily; but in view of his long absence in desertion—little less than a year—the sentence will not be mitigated.

17th. Private John T. Mowry, Company K, 9th Infantry.

CHARGE I-Absence without leave.

CHARGE 2-Violation of the 38th Article of War.

CHARGE 3—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private John T. Mowry, Company K, 9th Infantry, did sell, or otherwise unlawfully dispose of, one government overcoat.

This at or near Omaha Barracks, Neb., on or about the 9th day of December, 1870.

CHARGE 4—Theft, to the prejudice of good order and military discipline.

Спаков 5—Attempted theft, to the prejudice of good $\,$ order and military discipline.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge -Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge-Not Guilty.

To the specification 3d charge—Not Guilty.

To the 3d charge—Not Guilty.

To the specification 4th charge—Not Guilty.

To the 4th charge—Not Guilty.

To the specification 5th charge—Not Guilty.

To the 5th charge-Not Guilty.

FINDING-Guilty.

SEXTEXCE—To forfeit to the United States all pay and allowances now due or to become due; to be drummed out of the service of the United States, and while being drummed out to wear a placard with the word "THES," painted thereon—this placard to be worn on his back.

In this case the proceedings and findings are approved, except the finding under the 5th charge, under which it is thought, the evidence is insufficient. The sentence is approved, but the forf-citure of pay is so modified that the prisoner shall receive fifteen dollars when discharged. As mitigated the sentence will be duly executed.

18th. Private Richard Williams, Company C, 9th Infantry.

CHARGE—Assault with intent to kill, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING --- Guilty.

SENTENCE.—To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress;

to be dishonorably discharged the service of the United States; and to be confined in such State prison as the Department Commander may direct for the period of two years.

In this case, though no witness testifies to seeing the presoner discharge his pistol at Lyons, the circumstantial evidence to his doing so is irresistible. It is far less clear that he did this with malice aforethought, and not quite certain that he intended to kill. The man Lyons-apparently mad with jealousy, for which no reason is shown to have existed .-- had repeatedly declared to others that he would take Williams' life, and Williams had been cautioned to be on his guard. Two days before the assault, Lyons told Private Roach, that he meant to "shoot the son of a b-h Williams," if he caught him in town. The next day he said to Private Driscoll .-"I shall kill Williams the first chance I get at him,"-and when saving this "his eyes looked like coals of fire," and his manner satisfied Driscoll, that he meant to do what he promised. the evening of the struggle, and but a minute before it, he remarked to Private Roach, that he had seen Williams riding in a buggy, and that he would "just as soon kill him as eat his supper." Leaving the supper table as he said this, he went into the quarters and saw Williams there at his box. Luons therefore "went to his box with a rush," the two men came together and clinched, and Williams wounded Lyous, not dangerously, in the shoulder with a pistol he had borrowed the day before. Luons' animosity against the prisoner seems to have been of long standing, for as early as November last, he made inquiries of Roach about Williams, and showed the former as he spoke, a slung shot, which he said he always carried about with him and always should, cautioning him to say nothing about it. As Williams had been kept informed of Lyous' menaces, he might reasonably, and probably did, infer from Lyous' demeanor that he was seeking for a weapon in his box, and it is not at all unlikely that he grappled with him from an instinct of self-preservation. When the two men were put asunder, however, Lyous had no weapon in his hands, though he carried a slung-shot concealed; and Williams was clearly wrong in firing upon him until at least he had reason to believe his life was actually in danger. But even this statement is open to modification if Lyons were the larger of the two, and likely soon to overpower his antagonist by his superior weight and strength. Upon this point, however, there is no testimony. It is probable that the prisoner would have offered evidence to show this relative discrepancy of physical strength, had such discrepancy existed.

The unexplained omission to procure the evidence of Lyons, in a case in which he bore so prominent a part, is not unobserved.

The proceedings and findings are approved. The sentence is mitigated to three month's confinement under guard; and as modified will be duly executed.

19th, Privates $Edward\ Sheehan\ {\rm and}\ Marcus\ Dame,\ Company\ F,$ 14th Infantry.

CHARGE-Absence without leave.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit them.

In this case the proceedings, findings, and acquittal are approved. The joinder of the two prisoners is permissible in this case, because the proof shows, and the specification, without distinctly alleging it, implies, that their offense was committed simultaneously and with concert of action. But in general, obsence without leave, should not be charged jointly against several prisoners.

20th. Private Edward Butts, Company E, 2d Cavalry.

CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard, for the period of six months; and to forfeit to the United States all pay and allowances that are, or may become, due for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

21st. Private Peter Mason, Company M, 2d Cavalry.

Charge-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—To forfeit to the United States ten dollars of his monthly pay, for one month; and to be confined at hard labor under charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Private Philip O'Connell, Unassigned, 1st Cavalry.

CHARGE-Descrition.

PLEA-Guilty.

Finding-Guilty.

SENTENCE—To forfeit to the United States all pay now due or to become due, except fifteen dollars, and to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved. In view of the prisoner's long confinement the sentence is modified to read "thirty dollars," instead of "fifteen dollars;" and as mitigated will be daly excented.

23d. Private Franz Holter, Company G, 14th Infantry.

CHARGE-Neglect of duty.

Epecification—In this, that Private Franz Holter, Company G, 14th lufantry, while a member of the guard and a sentinel over prisoners, did suffer one of said prisoners to run away from him and escape.

This at Omaha Barracks, Neb., on or about January 20th, 1871. PLEA-Not Guilty.

FINDING-Guilty.

SEXTEXCE—To be confined at hard labor in charge of the guard for four months, and to forfeit to the United States ten dollars per month of his mouthly pay, for the same period.

In this case the evidence seems to the reviewing authority, insufficient to justify a conviction under the charge of neglect of duty. In deference to the judgment of the Court, however, the proceedings, findings, and sentence are approved. The sentence is remitted.

Private Holter will be restored to duty.

24th. Private John Daly, Company C, 2d Cavalry.

CHARGE 1-Conduct in violation of the 44th Article of War.

CHARGE 2-Violation of the 45th Article of War.

PLEA.—To the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty.

FINDING-Guilty.

SEXTEXEE—To forfeit to the United States ten dollars of his monthly pay, for one month; to be confined at hard labor under charge of the guard for two mouths; and to carry a log weighing twenty-four pounds each day from reveille until retreat (allowing one half hour for each meal,) during the same period. The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

25th. Private William Lawless, Company F, 14th Infantry. Charge—Violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Gnilty.

Sentence.—To be confined at hard labor under charge of the guard for a period of two months; and to carry a twenty-four pound log each day from reveille until retreat, allowing one half hour for each meal.

The proceedings, findings, and sentence in this case are approved and the sentence will be duly executed.

26th. Private John D. Satterfield, Company G, 14th Infantry.

Charge.—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING --- Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and aquittal in this case are approved.

Private Satterfield will be restored to duty.

27th. Private James Williams, Company K, 2d Cavalry.

Charge—Conduct to the prejudice of good order and military

General Conduct to the prejudice of good order and military discipline.

Specification 1—In that Private James Williams, Company K,

2d Cavalry, did stab or cut with a knife, Private John Schuttle, Company C, 2d Cavalry. This with the intention of killing said Private John Schuttle, Company C, 2d Cavalry.

This at or near Omaha Barracks, Neb., on or about the night of January 14th, 1871.

Specification 2—In that Private James Williams, Company K, 22 Cavalry, did stab or cut with a knife, Private —— Costetlo, Company C, 2d Cavalry. This with the intention of killing said Private —— Costetlo, Company C, 2d Cavalry.

This at or near Omaha Barracks, Neb., on or about the night of January 14th, 1871.

PLEA—Guilty, except the words—"with the intention of killing."
FINDING—Guilty.

SENTENCE—To be dishonorably discharged the Service of the United States; to forfeit all pay and allowances that are due or may

become due; and to be confined in such penitentiary as the Department Commander may direct, for the period of one year.

The evidence for the defence, in this case, is so directly contration of the prosecution, that the Court would have done well to direct the examination of other witnesses, even if to do this made it necessary to postpone the trial. The testimony of the two witnesses for the prosecution is manifestly unreliable. They represent that they were squabbling good-temperedly together in Miliant's saloon near Omaha Barnucks, when without any provocation, and for no cause known to them, the prisoner stabbed Schuttle in the back; cutting Costello subsequently in the head, while resisting the latter in his endeavor to take possession of the knife. Both witnesses admit that they had been dirinking.

In the first place, it is incredible in itself that the prisoner should have had no provocation for his act; and secondly; it is to be remarked that both the government witnesses are interested in suppressing whatever acts of theirs occasioned the violence of the prisoner.

It is testified by the prisoner's witness, who, so far as it appears, has no reason for bias one way or the other, that the two men—Schuttle and Costello—first assaulted him and the prisoner, by knocking witness' but off violently more than once, and striking the prisoner in the face, and that they then knocked the prisoner down and got upon him. In witness' judgement the prisoner acted wholy in self defence.

In the opinion of the reviewing authority, this latter statement of the circumstances is much the more trustworthy of the two. The one is intrinsically probable, while the other is intrinsically improbable, if not impossible. And while the witnesses to the latter story, as has been remarked, are deeply interested in exonerating themselves from blame, the prisoner's witness on the contrary, has no discernable interest in the affair of any kind; and moreover, both Costello and Schuttle were intoxicated at the time, and are on this account not entitled to implicit credence, even if now intending to tell the entire truth.

In view of the probability that the use of a knife was not strictly necessary to the prisoner's escape, and as he pleads guilty to disorderly conduct, the sentence will not be disapproved, but will be mitigated to imprisonment under charge of the guard for one month; and as modified will be duly executed.

28th. Private Michael Carroll, Company M, 2d Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Michael Carroll, of Company M, 2d Cavalry, did threaten the life of Private Henry Wilson, Company M, 2d Cavalry, by following said Wilson around with a knife, until knocked down in the 1st Sergeant's room by Acting 1st Sergeant Charles Exercit, Company M, 2d Cavalry, and the knife with which he threatened the said Private Wilson's life, taken away from him.

This at Omaha Barracks, Neb., on or about the 23d day of January, 1871

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

With a slight amendment of the specification, it is thought that the evidence in this case would have justified a conviction under this charge.

The prisoner was intoxicated on the evening alleged; he had challenged Private Wilson to fight, shortly after stable call; he followed him to the 1st Sergeant's room, whither Wilson had gone to avoid him, and several times called him to come out; and when arrested, a butcher's knife was found concealed in his breast. It is a fair inference that his purpose was a disorderly and hostile one, and had the Court amended the specification by striking out the mention of the knife, the prisoner might well have been found guilty under the charge.

Under the pleadings precisely as drawn, the proceedings, findings, and acquittal are approved, and the prisoner will be restored to duty.

29th. Sergeant James W. Rolfe, Company E, 2d Cavalry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Sergeant James W. Rolfe, Company B, 2d Cavalry, having received from Saddler James Yane, Company E, 2d Cavalry, (sick in hospital,) accounts to be collected from members of Company E, 2d Cavalry, to the amount of fifty-five dollars, or thereabouts, and having collected said accounts, did appropriate the money to his own use.

CHARGE 2-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be reduced to the ranks; to forfeit to the United States all pay and allowances now due or that may become due, for one year; and to be confined at hard labor under charge of the guard for one year.

In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

The Specification to the first charge contains no allegation of time or place. The prisoner's plea of guilty amends this otherwise fatal defect.

II...Paragraph 6, General Orders No. 6, current series from these Headquarters, is rescinded as published in error.

III...The General Court Martial convened at Omaha Barraeks, Neb., pursuant to Paragraph 2, Special Orders No. 3, current series from these Headquarters, and of which Captain David Krause, 14th Infantry, is President, and 2d Lieutenant John H. Coale, 9th Infantry, Judge Advocate, is hereby dissolved.

> By Command of Brigadier General Augur: GEO, D. RUGGLES,

OFFICIAL:

sistant Adjutant General.

ide de Camn.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, February 25, 1871.

No 11.

I...So much of Paragraph 2, General Orders No. 24, of 1870, from these Hendquarters, as requires requisitions for Subsistence supplies to be transmitted in triplicate, is rescinded.

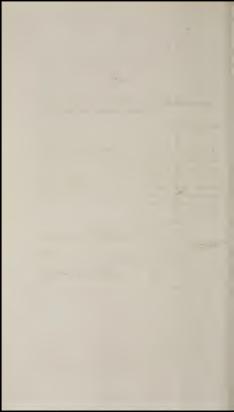
II... So much of General Orders No 6, current series, from these headquarters, as mitigates the sentence of General Court Martial in the case of Private Daniel Lucler, Company "F," the Infantry, is amended so as to limit the forfeiture of his pay to the term of his confinement.

> By Command of Brigadier General Augur: GEO, D. RUGGLES.

> > Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.



G. C. M.

Second Licutenant Robert H. Young, 4th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, February 27, 1871,

No. 12.

I...Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 4, Special Orders No. 18, current series from these Headquarters, and of which Colonel John H. King, 9th Infantry, is President, and Captain George B. Russell, 9th Infantry, Judge Advocate, were arraigned and tried:—

Second Lieutenant Robert H. Young, 4th Infantry.

Chargo I—Conduct unbecoming an officer and a gentleman. Specification I—In this that he, 2d Lieutenant Robect II. Nowny, 4th Infantry, Commanding Company D, 13th Infantry, having received from Lieutenant Colonel H. A. Morrow, Commanding 13th Infantry, at Camp Douglas, U. T., an official communication in the form of an endorsement upon an official return of Company D, 13th Infantry, for the month of December, 1870, previously submitted by Lieutenant Prangy to Lieutenant Colonel Morrow, which endorsement was in the following words:—

Headquarkers 13th Infantry,

* Camp Douglas, January 10, 1871.

Respectfully returned. The signature of the officer signing this return is illegible, and cannot be made out by reference to the Army Register or any authority at these Headquarters. The date that he assumed command of the company, and by what order, and also date that Lieutenant Thompson left the post, and the number and date of the order appointing Lieutenant Chance Post Adjutant, must be stated.

By order of Lieutenant Colonel Morrow.
(Signed) H. C. PRATT,

First Lieutenant 13th Infantry, Acting Adjutant,

did make and return the following disrespectful and untruthful

endorsement on the same return, viz :-

"Respectfully returned with the information that the number and date of the order, by virtue of which I assumed command of the company, are stated in the return of Company D. 13th Infantry, for the month of December, 1870. The number and date of the order relieving Lieutenant Thompson from duty with the company, are stated in the above named return;" which statements were untruthful, and therefore unbecoming an officer and a gentleman, in that they were intended to convey the false impression that such dates and numbers of orders were stated in the returns in question when originally received at Headquarters of the 13th Jufantry, when in fact they were not so originally stated, but were inserted by Lieutenaut Fonop, or by his orders, after the receipt by him, of said return for correction.

This at Fort Fred. Steele, W. T., on or about the 13th day of Jan-

nary, 1871.

Specification 2—In this that he, 2d Lieutenant Robert H. Young, 4th Infantry, Commanding Company D, 18th Infantry, Awaing received from Lieutenant Colonel H. A. Morvow, Commanding 18th Infantry, at Camp Douglas, U. T., an official communication in the form of an endorsement upon an official return of Company D, 18th Infantry, for the month of December, 1870, previously submitted by Lieutenant Young to Lieutenant Colonel Morrow, which endorsement was in the following words viz:—

HEADQUARTERS 13th INFANTRY.

Camp Douglas, January 10, 1871.

Respectfully returned. The signature of the officer signing this return is illegible, and cannot be made out by reference to the Army Register or any authority at these Headquarters. The date that he assumed command of the company and by what order, and also the date that Lieutenant Thompson left the post, and the number and date of the order appointing Lieutenant Chance Post Adjutant, must be stated.

By order of Lieutenaut Colonel Morrow, (Signed) H. C. PRATT.

First Lieutenant 13th Infantry,

Acting Adjutant,

did return said official communication to Lieutenant Colonel Morrow, with an untruthful endorsement of which the following is an extract,—"The signature of the officer commanding Company D, 13th Infantry is legible, and therefore will unto the changed,"—which statement was wilfully false and intended to deceive, he having altered, or caused to be altered, the said signature by erasing a portion of it after receiving the said return for correction from his Commanding officer.

This on or about January 13th, 1871, at Fort Fred. Steele, W. T. Charge 2—Conduct to the prejudice of good order and military

discipline.

Specification—In this, that 2d Lieutenant Robert H. Young, 4th Infantry, in reply to an official endorsement addressed to him from Headquarters 13th Infantry, npon the return of Company D, 13th Infantry, for the month of December, 1870, of which company the accused was then in command; which endorsement was in the following words, to wit;—

Headquarters 13th Infantry, Camp Douglas, January 10, 1871.

Respectfully returned. The signature of the officer signing this

return is illegible, and cannot be made out by reference to the Army Register or any authority at these Headquarters. The date that he assumed command of the company, and by what order, and also date that Lieutenant Thompson left the post, and the number and date of the order appointing Lieutenant Chance Post Adjutant must be stated.

By order of Lieutenant Colonel Morrow,

(Signed) H. C. PRATT, First Lieutenant 13th Infantry.

Acting Adjutant,

did make and subscribe a most insubordinate and disrespectful endorsment on said return, as follows:—

FORT FRED. STEELE, January 13, 1871.

Respectfully returned, with the information that the number and date of the order by virtue of which I assumed command of the company is stated in the return of Company D, 13th Infantry, for the month of December, 1870. The number and date of the order relieving Lieutenant Thompsen from duty with the company is stated in the above named return. The precise time at which he left this post has nothing whatever to do with this return. The number and date of the order appointing Lieutenant Chance Post Adjutant, is also given in this return.

The signature of the officer commanding Company D, is legible,

and therefore will not be changed.

ed) ROBERT H. YOUNG,
Second Lieutenant 4th Infantry,
Commanding Company D, 13th Infantry,

which endersement he did forward to the Commanding Officer, 13th Infantry, as a reply to a previous official communication from that officer; thereby committing a gross breach of official decorum to wards his superior and commanding officer. This on or about January 13th 1871, at Fort Fred Steele, W. T.

To which charges and specifications the accused pleaded—Not Guilty.

The Court, after maturely considering the evidence adduced, finds

the accused as follows:—

'and untruthful" in the expression—"did make and return the following disrespectful and untruthful endorsement"—and excepting the words—"which statements were untruthful and therefore unbecoming an officer and a gentleman, in that they were intended to convey the false impression that such dates and numbers of orders were stated in the return in question when it is a state of the return in the converse of the false impression that such dates and numbers of orders were stated in the return in question when it is a state of the ret

Of the 2d specification 1st charge-Not Guilty.

Of the 1st charge-Not Guilty, but guilty of Conduct to the prejudiee of good order and military discipline.

Of the specification 2d charge-Guilty.

Of the 2d charge-Guilty.

And the Court does therefore sentence him, 2d Lieutenant Robert

H. Young, 4th Infantry, to be reprimanded in General Orders, by

the Commanding General, Department of the Platte.

The finding of agnittal under the 2d specification to the first charge is disapproved, as it appears to the reviewing authority to be in conflict, not only with the evidence in the case, but with Lieutenant Young's written admissions; every allegation in it being manifestly founded in fact and sustained by proof, except one, viz:that which declares the offensive statement forming the base of the specification to have been "willfully false and intended to deceive." With this exception, the proceedings, findings and sentence are approved.

The reply made by Lieutenant Young to an official communication from his superior and commanding officer, was indisputably improper and discourteous in tone, and a serious breach of official and

military good manners.

Lieutenant Young calls attention, in his defence, to the fact that he has been honorably mentioned in orders for services in this Department against hostile Indians. He can scarcely need to be reminded that no gallantry in the field, however conspicuous, ean justify insubordination and want of official decorum in the ordinary duties of military life, and the reviewing anthority is compelled to say that he finds these offenses gravely prominent in the act for which Lieutenant Young has been recently brought to trial before a military Court.

Lieutenant Young will be released from arrest and restored to duty.

> BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO, D. RUGGLES.

Assistant Adjutant General.

Aide-de-Camp.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, February 28, 1871.

No 13.

I...The following is the present Staff of the Department Commander, modified conformably to General Orders No. 7, current series, from the War Department.

PERSONAL STAFF:

Captain George B. Russell, 9th Infantry, Aide-de-Camp.
Captain Henry G. Litchfield, 2d Artillery, Aide-de-Camp.
Department Staff:

Major George D. Ruggles, Adjutant General's Department, Adjutant General.

Major Herbert P. Curtis, Judge Advocate's Department, Judge Advocate.

Major Alexander J. Perry, Quartermaster's Department, Chief Quartermaster, Purchasing and Depot Quartermaster.

Captain John W. Barriger, Subsistence Department, Chief Commissary, Purchasing and Depot Commissary of Subsistence.

Surgeon Joseph B. Brown, Medical Department, Medical Director, and Attending Surgeon.

Major Benjamin Alvord, Pay Department, Chief Paymaster,

Captain William A. Jones, Corps of Engineers, Engineer Officer.

Captain John R. McGinness, Ordnance Department, Chief Ordnance Officer.

H...Major Nelson B. Sweitzer, 2d Cavalry, late Acting Assistant J. Inspector General, is relieved from the Department Staff, and will report to Headquarters of his regiment for duty at Omnha Barraeks, Neb.

III... Second Lieutenant Adolphus W. Greely, 5th Cavalry, late Acting Chief Signal Officer, upon turning over the property and funds for which he is responsible, will be considered as relieved from duty in this city, and will report to the Commanding Officer of Fort Laramie for duty with his company at that post.

IV...Captain John H. Belcher, Assistant Quartermaster U. S. Army, Depot Quartermaster at Omaha, will turn over all property and funds for which he is responsible, to Major Alexander J. Perry, Quartermaster U. S. Army, Chief Quartermaster of the Department. Upon completion of this transfer, and of his papers as Depot Quartermaster, Captain Belcher will be considered as relieved from further duty in this city and Department, and will report for instructions, by letter, to the Adjutate General of the Army,

V...The Acting Assistant Surgeon, now on duty as attending Surgeon in this city, is relieved from further duty, and will report to the Medical Director for annulment of contract.

> By Command of Brigadier General Augur: GEO. D. RUGGLES, Assistant Admitant General.

OFFICIAL:

Aide-de-Camp.



FORT D. A. RUSSELL.

Private William Kelly, Company I, 9th Infantry.

2. Private John Carney, Company B, 14th Infantry.

A. Private Richard E. McLulosch, Company K, 5th Cavalry.
FORT BEINGER.

1. Private Charles Martin, Company F. 13th Infantry.

Private James W. Hallsted, Company F, 13th Infantry.
 Private Luke Malone, Company F, 13th Infantry.

4. Private Richard Doran, Company G, 13th Infantry

5. Private Jacob Inglesbee, Company C, 7th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 1, 1871.

GENERAL ORDERS, No. 14.

L.Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 237, series of 1870, from these Headquarters, and of which Captain John D. Derin, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were armigned and tried:

1st. Private William Kelly, Company I. 9th Infantry.

Charge 1-Forgery, to the prejudice of good order and military discipline.

CHARGE 2-Uttering a forged sutler's money order, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

Fixuing—Of the specification 1st charge—Guilty, except the words—"did willfully and knowingly forge the name of his Company Commander, Captain F. Mears, 9th Infantry."

Of the 1st charge—Guilty, but attach no criminality thereto.

Of the specification 2d charge—Guilty, except the words—"did
willfully and knowingly pass, give, and utter, at the
sutter's store, a forged money check or order."

Of the 2d charge—Guilty, but attach no criminality thereto.— And the Court does therefore acquit him.

In this case the proceedings, findings, and acquittal are approved. The check which the prisoner was accused of forging should have been appended to the record as an exhibit. It is a rule of general application that the originals, or certified copies, of every piece of documentary evidence used in a case, should be transmitted with the record of the trial, and made a part of it;—the originals, if of no other official use. Private Kelly will be restored to duty.

2d. Private John Carney, Company B, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private John Carney, Company B, 14th Infantry, did become drunk and disorderly in the company quarters of Company B, 14th Infantry, and when being taken to the guard house by 1st Sergeant Frank Burke, Company B, 14th Infantry, he being in the execution of his duty at the time, did threaten to strike him, 1st Sergeant Frank Burke, Company B, 14th Infantry, and did call him a "d——d son of a b—h." This at Fort D. A, Russell, W. T., on the 18th day of November, 1870.

Specification 2—In this, that Private John Carney, Company B, 14th Infantry, on being ordered by Sergeant H. D. Sullivam, Company B, 14th Infantry, to leave his quarters and attend the assembly of his company at reveille roll call, did use abusive and threatening language toward the said Sergeant H. D. Sullivam, Company B, 14th Infantry, to wit:—"You d—d son of a b—h, I will fix you, you are not man enough to lick me."

This at Fort D. A. Russell, W. T., on the 23d day of November, 1870.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification—Nolle prosequi entered by the prosecution.

Of the charge-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay per month, for the period of three months; and to be confined at hard labor, at the place where his company may be serving, for the same period.

In this case Sergeant Burks, Company B, 14th Infantry, testifies that after the prisoner called him isualting names he "struck him of course." The evidence shows that unstend of saying "struck," he should have said "knocked down and kicked in the face." This is not the way in which any non-commissioned officer should be allowed to enforce obedience to his orders; and in view of this improper treatment, the sentence is untigated to read "one month," instead of "three months." and as motified, will be duly executed.

3d. Private Jacob Miller, Company D, 5th Cavalry.

CHARGE 1—Drunkenness on duty, in violation of the 15th Article of War.

Charge 2—General worthlessness, to the prejudice of good order and military discipline.

PLEA -To the specification 1st charge -Not Guilty.

To the 1st charge—Not Guilty.

To the 1st specification 2d charge-Not Guilty.

To the 2d specification 2d charge-Not Guilty.

To the 3d specification 2d charge—Guilty.

To the 4th specification 2d charge—Not Guilty. To the 5th specification 2d charge—Guilty.

To the 2d charge-Not Guilty.

FINDING-Of the specification 1st charge-Not Guilty.

Of the 1st charge-Not Guilty.

Of the 1st specification 2d charge—Guilty, except the words—"while he was in the performance of his duty as stable orderly."

Of the 2d specification 2d charge—Guilty, except the words—"without cause or provocation."

Of the 3d specification 2d charge-Guilty.

Of the 4th specification 2d charge-Guilty.

Of the 5th specification 2d charge-Guilty.

Of the 2d charge-Guilty.

SEXTENCE—To be confined at hard labor in charge of the gnard at the post where his company may be serving, for the period of six months; then to be dishonorably discharged the service of the United States, forfeiting to the United States all pay and allowances that are now due or that may become due.

In this case the proceedings, findings, and sentence are approved,

but the term of imprisonment is reduced to three months. As mitigated, the sentence will be duly executed.

4th. Private Richard E. McIntesch, Company K, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Richard E. McIntosch, Company K, 5th Cavalry, was drunk and disorderly in his company quarters. This at Fort D. A. Russell, W. T., on or about the 5th day of January, 1871.

Specification 2—In this that he, Private Richard E. MeIntosch, Company K, 5th Cavalry, did strike in the face with his elemekhed Else Sergeant William Blake, Company K, 5th Cavalry, who, in the execution of his duty, was taking said MeIntosch to the guard house. This at Fort D. A. Russell, W. T., on or about the 5th of January, 1871.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—To be confined at hard labor at the post where his company may be serving, for the period of six months, wearing a twelve-pound ball attached to his left log by a six-foot chain; and to forfeit to the United States ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this ease are approved and confirmed, and the sentence will be duly executed.

II...Before a General Court Martial which convened at Fort Bridger, W. T., porsuant to Paragraph 3, Special Orders No. 7, current series from these Headquarters, and of which Major Robert 8, LaMotte, 13th Infantry, is President, and 1st Lieutenant Gustavus M. Bascom, 13th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Charles Martin, Company F, 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—To be confined at hard labor in charge of the guard for the period of six months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private J. W. Hallsted, Company F, 13th Infantry. CHARGE 1-Conduct to the prejudice of good order and military

discipline.

Specification 1-In this, that Private J. W. Hallsted, Company F. 13th Infantry, was so much under the influence of liquor as to be totally unfit for the duties for which he was detailed in the Sub-

sistence Department. This at or near Fort Bridger, W. T., on or about the 20th day of October, 1870. Specification 2-In this, that Private J. W. Hallsted, Company

F, 13th Infantry, was so much under the influence of liquor as to be totally unfit for the duties for which he was detailed in the Subsistence Department. This at or near Fort Bridger, W. T., on or about the 25th day of October, 1870.

Specification 3-In this, that Private J. W. Hallsted, Company F. 13th Infantry, was so much under the influence of liquor as to be totally unfit for the duties for which he was detailed in the Subsistence Department. This at Fort Bridger, W. T., on or about the 25th day of November, 1870.

CHARGE 2 - Absence without leave.

PLEA-Guilty.

Finding-Guilty.

SENTENCE-To be confined at hard labor in charge of the guard for three months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d, Private Luke Malone, Company F, 13th Infantry.

CHARGE--- Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars per month of his mouthly pay for nine months, and to be confined at hard labor in charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Richard Doran, Company G, 13th Infantry.

CHARGE 1-Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Richard Doran, Company G, 13th Infantry, was absent from his company without proper anthority at retreat roll call, on the 17th day of October, 1870. This at Fort Bridger, W. T.

ADDITIONAL CHARGES.

CHARGE I-Absence without leave.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Richard Dorau, Company G, 13th Infantry, did, in violation of existing Post General Orders No. 49, series 1870, leave the post of Fort Bridger, W. T., without a written pass from proper authority. This at Fort Bridger, W. T., on the 4th day of December, 1870.

Specification 2—In this that he, Private Richard Doran, Company G, 13th Infantry, did become so much under the influence of intoxicating liquor as to be unfit to perform his duties as a soldier. This at or near Fort Bridger. W. T., on the 4th day of December, 1870.

PLEA-To the specification 1st charge-Guilty,

To the 1st charge-Guilty.

ADDITIONAL CHARGES.

To the specification 1st charge-Guilty.

To the 1st charge -Guilty

To the 1st specification 2d charge -Not Guilty.

To the 2d specification 2d charge-Guilty.

To the 2d charge-Guilty.

FINDING-Guilty.

SENTENCE.—To forfeit to the United States ten dollars per month of his monthly pay for two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private Jacob Inglesbee, Company C, 7th Infantry.

Charge—Desertion.

PLEA-Guilty.

FINDING-Guilt

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for one year; and to be confined at hard labor in charge of the guard, for the same period.

The proceedings, findings, and sentence in this case are approved. In view of the testimony of the Post Surgeon to the prisoner's mental feebleness, the sentence is remitted. Private Inglesbee will be restored to duty.

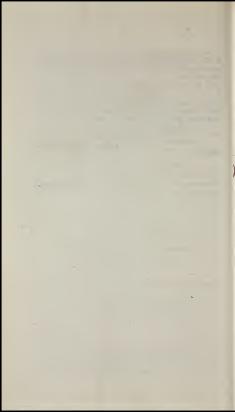
III...The General Court Martial convened at Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 237, series of 1870, from these Headquarters, and of which Captain John D. Devin, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, is bereby dissolved.

By Command of Brigadier General Augur; GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL

Aide-de-Camp.





FORT FETTERMAN.

- Private Peter Burke, Company A, 4th Infantry.
 Private John Burke, Company A, 4th Infantry.
- J. Private Isaac Wallace, Company A. 4th Infantry,
- 4. Private Thomas Wright, Company A, 4th Infantry,
- o. Private Francis H. Nealis, Company A, 4th Infantry.
 - Private Sylvester Gough, Company A, 4th Infantry.
 - J. 7. Private Robert S. Moore, Company A, 4th Infantry.
 - N. Private Henry Gillin, Company B, 13th Infantry.
- Private Thomas J. Terry, Company K, 13th Infantry.
- 3. Private James Flynn, Company B, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, March 2, 1871.

No. 15.

L.Before a General Court Martial which convened at Fort Fetterman, W. T., pursuant to Paragraph 3, Special Orders No. 238, series of 1870, from these Headquarters, and of which Major Alexander Chambers, 4th Infantry, is President, and 1st Lieutenant A. W. Vogdes, 4th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Peter Burke, Company A, 4th Infantry.

CHARGE 1-Desertion.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Peter Burke, Company A, 4th Infantry, when ordered to go to the guard house by Captur, John Miller, 4th Infantry, with Sergeants Julius Helmer and Benjamin Jones, of Company A, 4th Infantry, did escape from the aforesaid sergeants, and did remain absent until apprehended by 1st Lieutenant A. W. Togdes, 4th Infantry, at Little Box Elder Canon, about ten miles from the post of Fort Fetterman, W. T. All this at or near Fort Fetterman, W. T., on or about January 14th, 1871.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—To forfeit all pay and allowances due him, except the just dues of the laundress, and to forfeit fifteen dollars of his monthby pay per month for the period of eight months; to be confined at hard labor in charge of the goard for the same period, wearing a hall and chain, twenty-four pounds in weight, attached to his left leg, for the first three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private John Burke, Company A, 4th Infantry.

CHARGE 1-Desertion.

CHARGE 2—Conduct to the prejudice of good order and military descipline.

Specification—In this that he, Private John Bucke, of Company A, 4th Infantry, when ordered to go to the guard house by Captain John Miller, 4th Infantry, with Sergeauts Julius Helmer and Benjamin Jones, Company A, 4th Infantry, did escape from the aforesaid sergeants and remain absent until apprehended by 1st Liestenannt A, W. Fogdes, 4th Infantry, at Little Box Elder Canon, about remiles from the pest of Fort Fetterman, W. T. All this at or near Fort Fetterman, W. T., on or about January 14th, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States all pay and allowances due him, except the just dues of the haundress, and to forfeit fifteen collins of his monthly nay, per month, for the period of eight months; to be confined at hard labor in charge of the guard for the same period, wearing a ball and chain, twenty-four pounds in weight, attached to his circle g, for the first three months.

The proceedings, findings, and sentence in this case are approved, but in view of the prisoner's previous good character the sentence is modified to read "six months," instead of "eight months," and as mitigated will be duly executed.

3d. Private Isaac Wallace, Company A, 4th Infantry.

Charge 1-Desertion.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Issue Walties, Company A, 4th Infantry, did, when ordered to go to the guard house by Captain John Miller. 4th Infantry, with Sergeauts Julius Helmer and Benjamin Jones, of Company A, 4th Infantry, escape from the aforesaid sergeauts and remain absent until apprehended by 1st Lientenant A. W. Vogales, 4th Infantry, at Little Box Eilder Canon, about ten miles from the post of Fort Fetterman, W. T. All this at Fort Fetterman, W. T. no or about January 14th, 1871.

Pi.ea-Guilty.

FINDING-Guilty.

SISTERCE.—To forfeit all pay and allowances due him, except the just dues of the laundress, and to forfeir lifteen dollars of his monthly pay per month for the period of eight months; to be confined at hard labor in charge of the guard for the same period, wearing a ball and chain, twenty-four pounds in weight, attached to his left ley, for the first three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Thomas Wright, Company A, 4th Infantry.

Charge 1-Desertion.

CHARGE 2-Theft.

PLEA.—To the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty.

To the 2d charge and specification—Not Gui

Finding—Of the specification 1st charge—Guilty.

Of the 1st charge—Guilty.

Of the 1st charge—Guilt

Of the specification 2d charge—Guilty, except the word "twenty," substituting the words "nine or ten."

Of the 2d charge-Guilty.

SERTEXCE—To forfeit all pay and allowances now due him, except the just dues of the laundress; to forfeit fifteen dollars of his pay, per month, for the period of nine months; to be confined in charge of the guard at hard labor for the same period, wearing a ball twenty-four pounds in weight attached to his left leg, for the first three months.

In this case the findings under the 2d charge are disapproved on the ground of insufficient evidence, especially in view of the acquittal by the Court of Private Nealis, who was charged with having farnished the prisoner with the gun which the latter is convicted of having stolen. The findings under the first charge are approved.—
The sentence is approved and mitigated to forfeiture of fifteen dollars of his pay, per mouth, for five months, and confinement at hard labor for the same period; and as modified will be duly executed.

5th. Private Francis H. Nealis, Company A, 4th Infantry.

CHARGE 1—Theft, to the prejudice of good order and military discipline.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Francis H. Neatis Company A, 4th Infantry, did aid in the desertion of Privates John Burke, Peter Burke, Iseac Wallace and Thomas Wright, of Company A, the Infantry, by furnishing one breach loading rifle musket and nine rounds of cartridges. All this at or near Fort Fetterman, W. T., on or about January 13th, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings and acquittal in this case are approved. Private Neulis will be restored to duty.

6th. Privates $Sylvester\ Gough\ {\it and\ } John\ Durkin,$ Company A, 4th Infantry.

 $\ensuremath{\mathtt{Charge}}\xspace\xspace$ Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Privates Sylvester Gough and John Durkin, of Company A, 4th Infantry, did carry a message from deserters from the service of the United States, (Privates John Burke, Peter Burke, Isaac Wallace and Thomas Wright, of Company A, 4th Infantry, to their Company Commander, Captain John Miller, 4th Infantry, without previously informing the Acting Ist Sergeant, August Tobler, Company A, 4th Infantry, of the presence of the aforesaid deserters at the post, in order to lead to their apprehension, thereby aiding and abetting in their desertion.

All this at Fort Fetterman, W. T., on or about January 13, 1871. Specification 2—In this, that Privates Spheater Geogh and John Durkin, of Company A, 4th Infantry, did aid and connive at the desertion of Privates John Burke, Peter Burke, Isaace Wallace and Thomas Wright, of Company A, 4th Infantry, from the service of the United States, by not reporting their whereabouts to their Company Commander, Captain John Miller, 4th Infantry, they knowing at the time when they conveyed a message from the aforesaid deserters, of their presence in the garrison. All this at Fort Fetterman, W. T., on or about January 13th, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for thirty days, and to forfeit to the United States fifteen dollars of their monthly pay for two months.

In this case the finding under the first specification is disapproved for the reason, that according to the evidence, the prisoners had every reason to suppose from the actions and language of the 1st Sergeant, that he knew, as he did know, the deserters were then accessible, and within or near the garrison. The sergeant employed the prisoners as messengers between him and the deserters, and under such circumstances to have informed him that they were at hand would have been superfluous. The finding under the 2d specification is approved. The sentence is approved, but the forfeiture of pay, in each case, is remitted,

The Judge Advocate puts to Sergeaut Tobler the question:-"In your opinion would this conduct (of the two prisoners) aid and abet the desertion of this party or not?" and the witness replies:- "According to my opinion it would." This was manifestly an inadmissible interrogatory.

It was for the Court to form, not borrow, an opinion as to the consequences of the prisoners' acts.

7th. Private Robert S. Moore, Company A, 4th Infantry.

CHARGE 1-Desertion.

CHARGE 2-Theft.

Specification-In this that he, Private Robert S. Moore, Company A, 4th Infantry, did steal and carry away one breech loading ritle musket, cal. 50, and forty rounds of cartridges, the property of the United States, and for which Captain John Miller, 4th Infantry, is responsible. All this at or near Fort Fetterman, on or about February 3d, 1871.

PLEA-Not Guilty. FINDING-Guilty.

SEXTENCE—To be dishonorably discharged the service, forfeiting all pay and allowances due or to become due; and to be confined at hard labor in such penitentiary as the General Commanding may direct for one year.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. The penitentiary at Fort Madison, lows, is designated as the place of confinement for the prisoner, to which place he will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

H...Before a General Court Martini which convened at Fort Rawlins, U. T., pursuant to Paragraph 2, Special Orders No. 7, current series from these Headquarters, and of which Captain Nathan W. Oshorne, 13th Infantry, is President, and 24 Licuteman John B. Guthrie, 13th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Henry Gillin, Company B, 13th Infantry.

Charge—Desertion, in violation of the 20th Article of War.

PLEA—Not Guilty, but guilty of absence without leave.

FINDING-Guilty.

SETTEXCE—To forfeit all pay and allowances that are now due or that may become due; to refund to the United States' Government any expense that may have been incurred in his apprehension; also to refund the money value of any articles of ordnauce or ordnauce stores, elothing, camp and garrison equipage, or tobacco, now charged against him. Immediately on promalgation of this sentence, to be indelibly marked upon the left hip with the letter D, one and one-half inches long, ten days thereafter to have his head shaved, and to be drummed out of the United States' service.

The prisoner was arrested in uniform in Salt Lake City, the day after his departure from Fort Rawlins, and he asserts that he went to collect a debt from some soldiers at Camp Douglas, intending to return at once. That his purpose was to desert is a matter of inference, from the single fact that he was found in Salt Lake City, no proof being offered to show the animus non-revertendi, and no inquiry being made into the truth of his story.

In view of the scantiness of evidence, and of his long confinement prior to his trial, the shaving of his head and marking are remitted. The stoppages will be deducted from his arrears of pay, as required by Paragraph 1358, Revised Army Regulations.

With these exceptions, the proceedings, findings, and sentence are approved, and the sentence as modified, will be duly executed.

2d. Private Thomas J. Terry, Company K, 13th Infantry.

CHARGE—Desertion, PLEA—Guilty.

FINDING-Guilty.

SENTENCE—To furfit all pay and allowances, that are now due or that may become due; to refund to the United States all expenses incurred in his apprehension, and also to refund the money value of all articles of ordunese, clothing, camp and garrison equipage, and tobacco, charged against him; inmediately upon the promulgation of this sentence, to be indelibly marked on the left hip with the letter D, one and one-half inches long, and ten days thereafter to lave his head shavel, and be drunning ont of the service.

In this case the sentence reads as if it were intended the prisoner should refund the expenses of his arrest, &c., in addition to forfeiting all pay and allowances due or to become due. The specified stoppages will be deducted from his arrears of pay, as required by Paragraph 1358, of Revised Army Regulations.

With this amendment, the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

3d. Private James Flynn, Company B, 13th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Junes Flynn, Company B, 13th Infantry, did, while a prisoner, and under charge of a guard, and before he had been tried for the offense that placed birm in the guard house, make his escape from the sentinel placed over him, and did not return to his guard until apprehended the same night in his company quarters, about eight o'clock. This at Fort Rawlins, U. T., on the 18th day of January, 1871.

Charge 2-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

Sentence.—To be confined at hard labor under charge of the guard for the period of two months; and to forfeit to the United States' Government twelve dollars of his monthly pay, for the same period. The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

III...The General Court Martial convened at Fort Bridger, W. T., pursuant to Paragraph 3, Special Orders No 7, current series from these Headquarters, and of which Major Robert S. La Motte, 13th Infantry, is President, and 1st Leiutenant Gustawus M. Bascoms, 13th Infantry, Judge Advocate, is hereby dissolved.

IV...The General Court Martial convened at Fort Fetterman, W. T., pursuant to Paragraph 3, Special Orders No. 238, series of 1870, from these Headquarters, and of which Major Alexander Chambers, 4th Infantry, is President, and 1st Lieutenant Anthony W. Vogdes, 4th Infantry, Judge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL

Aide-de-Camp.

G. C. M.

- 1. Private Louis Schaat, Company F. 4th Infantry.
- 2. Private William S. Courtlandt, Company D, 4th Infantry. 3. Private Elijah Wilson, Company K, 4th Infantry.
- 1. Private Emerson Slough, Company K, 4th Infantry.
- 5. Private Patrick Thompson, Company G. 4th Infantry.
- 6. Private John Bell, Company F, 4th Infantry.
- 7. Private William Bond, Company F, 4th Infantry.
- S. Private Thomas Drury, Company F, 4th, Infantry. 9. Private Benjamin Sunshine, Company F, 4th Infantry.

10. Private Charles M. Fox, Company F, 4th Infastry.

HEADQUARTERS DEPARTMENT OF THE PLATTE. Omaha, Nebraska, March 3, 1871.

GENERAL ORDERS, No. 16.

L.,Before a General Court Martial which convened at Fort Laramie W. T., pursuant to Paragraph 3, Special Orders No. 13, current series from these Headquarters, and of which Captain John Rziha, 4th Infantry, is President, and 1st Lientenant David I. Ezekiel, 4th Infantry, Judge Advocate, were arraigned and tried :-

Ist. Private Louis Schaat, Company F, 4th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification 1-In this, that Private Louis Schuaf, Company F, 1th Infantry, did make use of the following language regarding his company commander 1st Lieutenaut D. I. Ezekiel, 4th Infantry-"I'll not serve under the G-d d-d Jew"-or words to that effect; and did further say-"I'll out Lieutenant Ezekiel's G-d d-d throat the first time I get a chance"-or words to that effect.

This at Fort Laramie, W. T., on or about the 13th day of January, 1871.

Specification 2-In this, that Private Louis Schaaf, Company F, Ith Infantry, did create a disturbance in the ranche of one William II. Brown, a citizen residing near Fort Laramie, W. T., and did take part in said disturbance. This near Fort Laramie, W. T., on or about the 14th of January, 1871.

Specification 3—In this, that Private Louis Schaaf, Company P.
4th Infantry, did, in the ranche of one William II. Brown, a citizen
residing near Fort Laranie, W. T., threaten the life of one Rausson
Somner, a Private of Company D, 4th Infantry, in the following
language, to wit—"I want to kill that G—d d—d son of n b—h,"
(meaning the said Somners) "and I will the first channee I get," or
words to that effect. This near Fort Laranie, W. T., on or about
the 14th day of January, 1871.

Specification 4—In this, that Private Louis Schaaf, Company F, 4th Infantry, did, on the evening of the 14th day of January, 1871, enter the ranche of one William II. Brown, a citizen residing near Fort Luramie, W. T., and did attempt to create a disturbance there in, making use of the following language to said Brown,—"You are a G—d—d—d cowardly son of a b—b," or words to that effect.

This near Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 5—In this, that Private Louis Schoot, Company F, the Infantry, did, in the ranche of one William H. Brown, a citizen residing near Fort Laraniie, W. T., endeavor to prevent one of the men in the employ of said Brown from obeying the orders given bim by the said Brown.

This near Fort Laramie, W. T., on or about the 14th day of January, 1871

PLEA-Not Gnilty.

FINDING-Guilty.

SEXTEXCE—To forfeit to the United States ten dollars of his monthly pay for the period of five months; and to be confined at hard labor under charge of the guard for the same period, wearing a ball weighing twenty four pounds attached to his left leg, by a chain six feet long.

In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed. The prisoner is so unruly and insubordinate a character, and has been tried and convicted so often of acts of unisconduct, that the sentence in this case is regarded as much too lenient.

2d. Private William S. Courtlandt, Company D, 4th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SETTEXEE—To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the haundress; to be confined at hard habor under charge of the guard for the period of fifteen months, wearing a ball weighing twenty-four pounds attached to his left leg, by a chain six feet long; at the expiration of said confinement to be marked with indeltible ink on the left hip with the letter D, two inches long, and to be dishonorably discharged and drammed out of the service of the United States.

In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed. The marking will be inflicted ten dars before the expiration of his term of confinement.

3d. Private Elijah Wilson, Company K, 4th Infantry.

CHARGE—Desertion.
PLEA—Guilty.

FINDING-Guilty.

SESTENCE—To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be confined at hard labor under charge of the guard, for the period of filteen months, wearing a ball weighing twenty-four pounds attached to his left leg, by a chain six feet long; at the expiration of said confinement to be marked with indelible ink, on the left hip with the letter D, two inches long, and to be dishonorably discharged and drummed out of the service of the United States.

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to nine months. The marking will be inflicted ten dars previous to the expiration of the term of confinement. As modified, the sentence will be duly executed.

4th. Private Emerson Slough, Company K, 4th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINNING-Guilty.

SEXTENCE—To furfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundross; to be conflued at hard labor under charge of the guard for the period of fifteen months, wearing a twenty-four pound ball attached to his left leg. by a chain six feet long; at the expiration of said confluement to be marked with indelible ink on the left hip with the letter D, two inches long, and to be dishonorably discharged and drummed out of the United States' service

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

5th. Private Patrick Thompson, Company G, 4th Infantry.

Charoe 1—Theft, to the prejudice of good order and military discipline.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Patrick Thompson, Company G, 4th Infantry, did, without authority, sell for the sum of twelve dollars, more riess, one Springfield breech-loading rifle, pattern 1868, and No. 3206, to a citizen at this post, the said rifle being property of the United States of America, and Captain John Rziha, 4th Infantry, being responsible for the same. This on or about November 26th 1870, at or near Fort Laramie, W. T.

PLEA-To the specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Guilty.

To the 2d charge-Guilty.

FINDING-Guilty.

SEXTENCE—To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Commanding General of the Department may direct for the period of one and one-half years.

In view of the time which elapsed between the loss of the rifle and its sale by the prisoner, and the apparent indifference with which he sold the arm without altering its appearance to a man at the same post; the reviewing authority is of the opinion that there are no sufficient grounds for convicting the prisoner under the first charge.

He admits having sold the gun on the 26th of November, but denies positively having stolen it on the 16th of October previous, and the only proof of his guilt is the fact of its being in his possession six weeks after its disappearance. His statement is, that while hunting on Deer Creek in the mouth of November last, he found the gun in a hole in which his dog had been digging for a badger, and supposing it to have been secreted there by a deserter, or some man intending to desert, he brought it into the post and sold it to McGee, making no secret of it.

There is no inherent impossibility in this story, as it is well known that men not unfrequently prepare for desertion by hiding their arms, &c., in some place where they can find them later.

The account is not so unreasonable as to require its summary rejection as a manifest fulsehood; and it is a familiar rule of criminal law,—"that where a man in whose possession stolen property is found, gives a reasonable account of how be came by it, it is incumbent on the prosecution to show that the account is false.

The force and value of the presumption of guilt from the mere tact of possession of the stolen property is stated by Greenleaf as very slight; and that writer says that "it is necessary for the prosecution to add the proof of other circumstances indicative of guilt." That the prisoner sold the arm six weeks later, is a circumstance of this sort; but the interval is too long to permit the presumption against the prisoner to be regarded as a demonstration, without further and stronger proof.

His sale on his private account of a rifle which he knew must belong to the Government, was a serious offense, and merits severe punishment.

The findings under the first charge are disapproved. The findings under the 2d charge are approved. The sentence is approved but the term of imprisonment is reduced to six mouths. The penitentiary at Fort Madison, Iowa, is designated as the place of confinement for the prisoner, to which place he will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

6th. Private John Bell, Company F, 4th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

PLEA—Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

In this case the evidence is thought to be strong against the prisoner; but in deference to the judgment of the Court, the proceedings, findings, and acquittal are approved. The record in this case does not show that the prisoner was offered the right to cross-examine the winesses for the prosecution.—
This should never be left to be inferred, and the omission of such an entry is a grave irregularity in the proceedings. If a prisoner cross-examine a witness, the record of course shows the fact. If he do not wish to do so, the following entry should be made—The prisoner declined to cross-examine." The neglect to insert this statement may invalidate the entire proceedings, and its introduction is therefore most necessary.

Private Bell will be restored to duty.

7th. Private William Bond, Company F, 4th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Not Guilty.

Of the 2d specification-Guilty.

Of the 3d specification-Guilty.

Of the charge-Guilty.

SENTENCE—To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress; to be indelibly marked on the left hip with the letter T, two inches long; to be dishouorably discharged the service of the United States; and then to be confined in such penitentiary as the Commanding General of the Department may designate for the period of three years.

In this case the proceedings, findings, and sentence are approved, but the marking with the letter T_i is remitted. The remainder of the sentence will be duly executed. The penitentinry at Fort Madison, Iowa, is designated as the place of confinement for the prisoncr, to which place he will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

8th. Private Thomas Drury, Company F, 4th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private *Thomas Drury*, Company F, 4th Infantry, being present when Private *Louis Schaaf*, Company F, 4th Infantry, in speaking of his Company Commander, 1st Lica-

temant D. I. Ezektel, 4th Infantry, made use of the following language—"I'll not serve under the G—d d—d Jew"—did make reply as follows:—"Neither will I, d—n him"—or words to that effect; and also when the said Schaaf; still speaking of the said Lieutenant Ezektel, made use of the following expression—"I'll eut Lieutenant Ezektel's G—d —d throat the first time I get a chance"—ow words to that effect, did make reply in the following language—"Do it, give it to him; and G—d d—n him I'll help you"—or words to that effect.

This at Fort Laramie, W. T., on or about the 13th day of January, 1871.

Specification 2—In this, that Private Thomas Drury, Company P. 4th Infantry, was present with Private Louis Schaaf, Company P, 4th Infantry, when the said Schaaf rested a disturbance in the ranche of one W. H. Brown, a citizen residing near Fort Laramie, W. T., and did take part in said disturbance, and did draw a revolver, and conduct himself in a riotous and disorderly manner. This near Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 3—In this, that Private Thomas Drury, Company F, 4th Infantry, being present when Private Louis Schaaf, Company F, 4th Infantry, when in speaking of Private Ransom Summer, D Company, 4th Infantry, did threaten the life of said Sumner in the following poots—"I want to kill that God d—d son of a b—h, and will the first time I get a chance,"—did himself threaten the life of said Sumner in the following language—"Go for him, kill him, God d—a him; kill him, God d—a him; kill him and I'll help you,"—or words to that effect; thereby attempting to incite said Schaaf to the murder of said Sumner hy pledging his assistance in said murder. This near Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 4—In this, that Private Thomas Druvy, Company F, 4th lufantry, did, on the night of the 14th day of January, 1871, enter the ranch of one William II. Brown, a citizen residing near Fort Laramie, W. T., and did refuse to leave said ranche when ordered by said Brown, but remained there and continually demanded drinks, although he had been informed by said Brown that the establishment was closed for the day, and did, by his actions and conduct attempt to bring about a fight between said Brown and his, the said Druvy's, companions.

This near Fort Laramie, W. T., on or about the 14th day of Jan nary, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification-Guilty.

Of the 3d specification—Guilty.
Of the 4th specification—Not Guilty.

Of the charge—Guilty.

Sextexce—To be confined under charge of the guard, at hard labor, at the post where his company may be serving, for the period of four months, wearing a ball weighing twelve pounds attached to his left leg, by a chain six feet long; and to forfeit to the United States twelve dollars per mouth of his mouthly pay, for the same period.

In this ease the sentence is deemed extremely lenient. The proceedings and fludings are approved, and the sentence will be duly executed.

9th. Private Benjamin Sunshine, Company F, 4th Infantry.

CHARGE 1—Disobedience of orders, in violation of the 99th Article of War.

Specification I—In this, that Private Benjamin Sunskine, Company F, 4th Infantry, having been ordered by Sergeaut Patrick Sullivan, Company F, 4th Infantry, to keep quiet, did continue to talk in an impudent and insubordinate manner.

This at Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 2—In this, that Private Benjamin Sunshine, Company F, 4th Infantry, when ordered by Sergeant Patrick Sullivan. Company F, 4th Infantry, to stop talking about his Company Qommander, 1st Licatenant D. I. Ezekiel, 4th Infantry, did reply in an insolent and insubordinate manner—II mont do it, I'll shut up for nobody; I'll go to the guard house"—or words to that effect.

This at Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 3—In this, that Private Benjamin Sunskine, Company F, 4th Infantry, did, when ordered to the guard house by Sergeant Patrick Sullivan, in obedience to orders received from his Company Commander, 1st Lieutenant D. I. Ezzkiel, 4th Infantry, refuse to obev said order. All this in the quanters of Company F, 4th Infantry, at Fort Laramie, W. T., on or about the 14th day of January, 1871.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private Benjamin Sunshine, Company F, 4th Infantry, did, in the quarters of said company (F, 4th Infantry) make use of the following words, to wit;—"I talk to officers just the same as I talk to you" (meaning the enlisted men of the company) "and I told Captain Excited that I would not serve under a man that treated his men as he (meaning 1st Lieutenant Excited) did," or words to that effect; which latter statement was maliciously false; and did turther harangue the enlisted men of F Company, 4th Infantry, thereby trying to create dissatisfaction amongst them against their Company Commander, 1st Lieutenant D. I. Excited, 4th Infantry, and attempting by his (the said Sonshine's) conversation to bring disrespect upon the said 1st Lieutenant D. I. Excited, 4th Infantry, Commanding F Company. This at Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 2—In this, that Private Benjamin Sanahine, Company F, 4th Infantry, when ordered by Sergeant Patrick Sullivan, Company F, 4th Infantry, to keep quiet, did reply—"I wont, you can put me in the guard house and be d—d," or words to that effect. This at Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 3—In this, that Private Benjamin Saushine, Company F., 4th Infantry, did, while being taken to the guard house by Sergeant Patrick Sultivan, Company F., 4th Infantry, offer violence to said Sergeant by attempting to seize him, the said Sergeant, by the throat. This at Fort Laramie, W. T., on or about the 14th day of January, 1871.

Specification 4—In this, that Private Banjamin Saushine, Company F, 4th Infantry, did, while going through the quarters of Company F, 4th Infantry, to the guard house, with Sergeant Patrick Sattean, attempt to scize a musket from a gun rack, evidently with the intention of resisting the said sergeant, who was in the execution of his office. All this in the quarters of Company F, 4th Infantry, at Fort Laramie, W. T., on or about the 14th day of January, 1871.

PLEA—To the 1st specification 1st charge—Guilty, except the words "in an insolent and insubordinate manner."

To the 2d specification 1st charge-Not Guilty.

To the 3d specification 1st charge-Not Guilty,

To the 1st charge-Not Guilty.

To the 1st specification 2d charge-Not Guilty.

To the 2d specification 2d charge—Guilty, except of the words "and he d—d."

To the 3d specification 2d charge-Not Guilty.

To the 4th specification 2d charge—Guilty, except of the words "evidently with the intention of resisting the said sergeant, who was in the execution of his office. To the 2d charge—Not Guilty.

Finding-Guilty.

SEXTEXCE—To forfeit to the United States twelve dollars per month of his monthly pay, for the period of five months, and to be confined under charge of the guard for the same period; the first seven days of each month to be solitary confinement on bread and water, and the remainder of each month at hard labor.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th. Private Charles M. Fox, Company F, 4th Infantry.

CHARGE--Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private Charles M. Fox, Company F, 4th Infantry, did, between the hours of 5 and 8 o'clock, p. m., on the 26th of January, 1871, visit the ranche of William Broven, citizen, near the post of Fort Laramie, W. T., and in a hoisterous and disorderly manner, demand to be furnished with some beer, and upon heing informed by Mr. Brown, that the orders of the post commander corbade him selling heer after retreat, did say—"D—n the post commander and his orders," and did say further, that he would have the heer anyhow, and upon being still refused by Mr. Brown, did abuse him by calling him a "d—d liar and a son of a b—h," saying—"TIP put a mug on you for this."

Specification 2—In this, that Private Charles M. Fox, Company F, 4th Infantry, having been put out of the ranche of Mr. William

Brown, near the post of Fort Laramie, W. T., between the hours of 5 and 8 o'clock p. m., of the 26th of January, 1871, did, in the course of about one-half hour return to the house of the said Brown with a musket in his hand, and did enter the said house and deliberately aim his musket at the said Brown, when the musket was eaught hold of, and the muzzle thrown up by one of Mr. Brown's employees; and did say a few minutes afterwards when leaving the house, "Brown, I'll kill you," or words to that effect.

PLEA—To the 1st specification—Guilty, except of the words
"damn the post commander and his orders," "and did
say further," and also of the words, "by calling him a
d—d liar and a son of a b—h, and say I'll put a mug
on you for this."

To the 2d specification—Guilty, except—"and deliberately aim his musket at the said Brown, when the musket was eneight hold of and the muzzle thrown up by one of Mr. Brown's employees, and did say a few minutes afterwards when leaving the house—'Brown I'll kill you,' or words to that effect."

To the charge-Guilty.

Finding—Of the lst specification—Guilty, except of the words—"a d—d liar," and also of the words—"saying,
I'll put a mug on you for this."

Of the 2d specification—Guilty, except of the word, "deliberately."

Of the charge-Guilty.

SEXTEXCE—TO forfeit to the United States fourteen dollars per month of bis monthly pay, for the period of six months; and to be confined at hard labor under charge of the guard for the same period, wearing a ball weighing twenty-four pounds attached to his left leg, by a chain six feet long.

In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

II...The General Court Martial convened at Fort Laramie, W. T., pursuant to Paragraph 3, Special Orders No. 13, current series from these Headquarters, and of which Captain John Rziha, 4th Infautry, is President, and 1st Lieutenant D. I. Ezekiel, 4th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUS:

OFFICIAL

GEO. D. RUGGLES.

Assistant Adjutant General.



Private William Maroney, Company K, 14th Infantry.

Private Thomas Hefty, Regimental Band 14th Infantry.

V3. Private James Ceadley, Company K, 14th Infantry.

p. Private John Redmond, Company K, 14th Infantry.

6. Private Francis Zoller, Company K, 14th Infantry.
7. Private Alexander Andrews, Company K, 14th Infantry.

S. Private James Montgomery, Company I, 14th Infantry.

S. Private James Kelly, Company I, 14th Infantry.

√10. Wagoner Hiram Mc Quillan, Company I, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 4, 1871.

No 17.

L.Before a General Court Martial which convened at Fort Sedg. wick, C. T., pursuant to Paragraph I, Special Orders No. 14, current series from these Headquarters, and of which Lieutenant Colouel George A. Woodward, 14th Infantry, is President, and Second Lieutenant William W. McCammon, Adjutant 14th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private William Maroney, Company K, 14th Infantry.

CHARGE 1-Drunkenness on duty.

CHARGE 2---Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private William Maroney, Company K, 14th Infantry, a regularly detailed member of the guard, while paraded with the guard at retreat roll call, did attempt to discharge his musket, and did use loud, vulgar, and obseene language, and did resist the lawful authority of his superior, Sergeant John Budds, Company K, 14th Infantry, while in the execution of his office endeavoring to arrest the said Private William Maroney, Company K, 14th Infantry.

This at Fort Sedgwick, C. T., on or about November 28th, 1870.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for the period of fifteen days, said confinement to date from the receipt of the order promulgating the sentence at this post, and such hard labor to consist of earrying on his shoulder a log of wood weighing thirty pounds, each alternate hour between reveille and retreat, each alternate day during his term of confinement; and to forfeit to the United States ten dollars per month of his monthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Thomas Hefty, Regimental Band, 14th Infantry.

CHARGE 1-Conduct to the prejudice of good order and military discipline.

Specification-In this that he, Private Thomas Hefty, Regimental Band, 14th Infantry, did engage in a game of cards for money, and did quarrel with Private Michael Welsh, Regimental Band 14th Infantry, and did use loud and profane language, and did strike with his fist and knock down said Private Welsh, thereby disturbing and annoying other men of the Regimental Band, 14th Iufantry.

This at Fort Sedgwick, C. T., in the quarters of the Regimental Band, 14th Infantry, on or about the 20th day of January, 1871.

CHARGE 2-Violation of the 6th Article of War.

Specification- In this that he, Private Thomas Hefty, Regimental Band, 14th Infantry, did mutilate an order posted in the Band quarters, 14th Infantry, for the observance and government of the Regimental Band, 14th Infantry, said order having been published by order of Lieutenant Colonel George A. Woodward, Commanding.

This at Fort Sedgwick, C. T., on or about the 21st day of September, 1870.

PLEA-To the specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Guilty.

To the 2d charge-Not Guilty.

FINDING-Of the specification 1st charge-Guilty, except the words-"aud did use loud and profane language." and the words-"and knock down," and of the excepted words-Not Gnilty. Of the 1st charge-Guilty.

Of the specification 2d charge-Guilty.

Of the 2d charge-Not Guilty, but guilty of a violation of the 99th Article of War.

SENTENCE-To forfeit to the United States ten dollars of his month-

by pay per month, for the period of two months.

The proceedings in this case are approved. The specification to the 2d charge is imperfect, in that it does not allege the mutilation of the order to have been done intentionally. The prisoner's act seems to have been an accident. In the absence of testimony showing the contrary, the findings under this charge are disapproved.

The findings under the 1st charge are approved, but as Private Welsk drew a knife, and both men seemed to be equally at fault, the sentence is mitigated to forfeiture of ten dollars for one month; and as modified will be duly executed.

3d. Private James Cendley, Company K, 14th Infantry.

CHARGE 1-Desertion.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private James Cendley, Company K, 14th Infantry, while a prisoner in confinement awaiting trial, did break away from the sentinel having him in charge and escape from confinement. This at Fort Sedgwick, C. T., on or about November 23d, 1870.

PLEA-To the 1st charge and specification-Not Guilty.

To the 2d charge and specification-Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard for the period of sixty days, wearing a ball weighing twelve pounds attached to his left leg by a chain two feet in length; and to forfeit to the United States ten dollars per month of his monthly pay for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Adam W. Heim, Company K, 14th Infantry.

CHARGE—Neglect of duty, to the prejudice of good order and military discipline,

Specification 1—Iu this that he, Private Adam W. Heim, Company K, 14th Infantry, a regularly detailed member of the post guard, while ou duty as sentinel in charge of prisoners, to wit:—Private

William Maroney, and Musician Samuel G. Perry, Company K, 14th Infantry; did allow the said prisoners to make an assault and strike Private Abraham Altenberg, Company K, 14th Infantry.

This at Fort Sedgwick, C. T., on or about January 21st, 1871.

Specification 2-In this that he, Private Adam W. Heim, Company K, 14th Infantry, a regularly detailed member of the post guard, while on duty as sentinel in charge of prisoners, to wit:-Private William Maroney, and Musician Samuel G. Perry, Company K, 14th Infantry, and the said prisoners being engaged in an assault upon the person of Private Abraham Altenberg, Company K, 14th Infantry, he, the said Private Adam W. Heim, Company K, 14th Infantry, did wilfully and utterly fail and neglect to take any means to quell the disturbance or to cause the said prisoners in his charge to behave in a proper manner; and when asked why he did not sepcrate them, he, the said Private Adam W. Heim, replied "that he was in no hurry, that he wanted to see Altenberg get a few knocks," or words to that effect.

This at Fort Sedgwick, C. T., January 21st, 1871.

Specification 3-In this, that Private .1dam W. Heim, Company K, 14th Infantry, a regularly detailed member of the post guard while on duty as sentinel in charge of prisoners, to wit -- Private William Maroney, and Musician Samuel G. Perry, Company K. 14th Infantry, and the said prisoners while so in his charge having conducted themselves in a riotous and disorderly manner, he, the said Private Adam W. Heim, Company K, 14th Infantry, did wilfully neglect to report this disorderly conduct of said prisoners to the proper superior authority. This at Fort Sedgwick, C. T., January 21st, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification-Guilty, except the word-"any"-substituting therefor the word-"proper"and of the excepted word-Not Guilty. Of the 3d specification-Not Guilty. Of the charge-Guilty.

SENTENCE-To be confined at hard labor under charge of the gnard for thirty days, during the last ten days (Sundays excepted) to carry a log of wood weighing thirty pounds, each alternate hour between reveille and retreat; and to forfeit twelve dollars per month of his monthly pay for two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private John Redmond, Company K, 14th Infantry.

Charge 1-Disobedience of orders.

Charge 2—Absence without leave.

CHARGE 3—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private John Redmond, Company K, 14th Infantry, having applied to his company commander, to witulat Lieutenau C. B. Western, 14th Infantry, for permission to be absent from his company and post, and having been refused such indulgence, did in the face of such refusal, absent himself from his company and post.

This at Fort Sedgwick, C. T., on or about the 25th of January, 871.

PLEA-To the specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge—Guilty, except the words
—"and post"—and to the excepted words—Not Guilty.

To the 2d charge-Guilty.

To the specification 3d charge—Not Guilty.

To the 3d charge-Not Guilty.

FINDING-Of the specification 1st charge-Not Guilty.

Of the 1st charge—Not Guilty.

Of the specification 2d charge—Guilty, except the words—"and post"—and of the excepted words— Not Guilty.

Of the 2d charge-Guilty.

Of the specification 3d charge—Guilty, except the words—"and post," as they occur in the specification—and of the excepted words—Not Guilty.

Of the 3d charge-Guilty.

SESTENCE-To forfeit to the United States ten dollars of his monthly pay for one month.

The proceedings and findings in this case are approved, and the sentence, although too lenient, will be duly executed. 6th. Private Francis Zoller, Company K, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification I—In this that he, Private Francis Zoller, Company K, 14th Infantry, a regularly detailed member of the post guard, having been ordered by Sergeant F. S. Ainsworth, Company I, 14th Infantry, Sergeant of the goard, not to permit the prisoners while under his charge to obtain any intoxicating liquor, did violate said order by allowing Private Joseph Droem. Company K, 14th Infantry, a prisoner under his charge, to obtain and drink intoxicating liquor. This at Fort Sedgwick, C. T., on or about January 27th, 1871.

Specification 2—In this that he, Private Francis Zoller, Company K, 14th Infantry. a regularly detailed member of the post guard, did permit Private Joseph Droen, Company K, 14th Infantry, a prisoner under his charge, to obtain and drink intoxicating liquor. All this at Fort Sedgwick, C. T., on or about the 27th day of January, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTEXE:—To be confined at hard labor under charge of the guard for the period of twenty days, and to enrry a log of wood during thim, excepting twenty-five pounds, each alternate hour of each alternate day, (Sundays excepted) between reveille and retreat; and to forfeit to the United States ten dollars per month of his monthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private Alexander Andrews, Company K, 14th Infantry.

CHARGE—Disobedience of orders, in Violation of the 99th Article of War.

PLEA-Guilty-

FINDING -Guilty.

SENTEXCE—To be confined at hard labor under charge of the guard for the period of twenty days, and to carry upon his shoulder a log of wood weighing twenty-five pounds, each alternate hour between reveille and retreat each alternate day during his term of confinement, (Sundays excepted;) and to forfeit to the United States ten dollars per month of his monthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved, but in view of the recommendation of the members of the Court the imprisonment is remitted. The remainder of the sentence will be duly executed.

8th Private James Montgomery, Company I, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private James Montgomery, Company I, 14th Infantry, amember of the guardig havin in his charge a squad of prisoners, did fall to obey his instructions, ir that he did take his prisoners from their work to the guard house before recal; and when ordered by Police Sergeant Fenton Egan, Company I, 14th Infantry, to take them to the wood pile for another load of wood, did reply in an impertinent and insubordinate manner, "If they (meaning the prisoners) think they can put on another load before recall I will take them down," or words to that effect.

This at Fort Sedgwick, C. T., on February 2d, 1871.

Specification 2—In this, that Private James Montgomery, Company I. 14th Infantry, a member of the guard, and having in his charge a squad of prisoners, having been ordered by Police Sergeant Penton Egan, Company I, 14th Infantry, to take them to the vood pile and haul a load of wood, did wilfully neglect his daty by leaning himself against the wood pile and permitting his prisoners to sit down, and allowing them to occupy nearly an hour and a half in loading a few sticks of wood.

This at Fort Sedgwick, C. T., on February 2d, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of thirty days, during the last ten days of which period (Sundays excepted) to earry on his shoulder a log of wood weighing thirty pounds, each alternate hour between reveille and retreat; and to forfeit ten dollars per month of his monthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

9th. Private James Kelly, Company I, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private James Kelly, Company I, 4th Infantry, did say to let Sergeant Cornelius Barrett, Company I, 14th Infantry,—"You black son of a w—e I want no odds from you"—or words to that effect. All this at Fort Sedgwick, C. T., at tattoo roll call on or about the night of the 1st of February, 1871.

Specification 2.—In this that he, Private James Kelly, Company I, 14th Infantry, was drunk at tattor roll call on or about the night of the 1st of February, 1871. All this at Fort Sedgwick, C. T., on or about the date above mentioned.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard for the period of fifteen days, and to carry upon his shoulder a log of wood weighing thirty pounds, every alternate hour between reveille and retreat, every alternate day, (Sundays excepted.) during his term of confinement; and to Fréit to the United States ten dollars per month of his monthly pay for the period of one month.

The proceedings, findings, and sentence in this case are approved

and confirmed, and the sentence will be duly executed.

10th. Wagoner Hiram McQuillan, Company I, 14th Infantry. CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Wagoner Hiram McQuillun, Company I, 14th Infantry, did fraudlently assist and connive with a citizen whose name is unknown, in taking grain from the Government stables and carrying it away, without permission of proper authority. This at Fort Sedgwick, C. T., on or about the 15th day of January, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved aud confirmed. The prisoner will be restored to duty.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL



(CORRECTED COPY.)

G. C. M.

FORT MCPHERSON.

1. Private Albert H. Lane, Company G, 5th Cavalry.
2. Private Patrick McGranyhan, Company L, 5th Cavalry.

23. Private Henry Wagner, Company F, 5th Cavalry.

5. Private John Honlihan, Company I, 5th Cavalry.

6. Private James O'Neil, Company M, 5th Cavalry.

7. Private Adolph Berthel, Company M, 5th Cavalry.
8. Private Walter F. Cheney, Company L, 5th Cavalry.

9. Private Robert Douglas, Company F, 5th Cavalry.

CAMP DOUGLAS.

Private James Carey, Company D, 2d Cavalry.

3. Private Maurice Fitzgerald, Company D, 2d Cavalry.

4. Private James Ryan, Company D, 2d Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebraska, March 5, 1871.

GENERAL ORDERS, No. 18.

I...Before a General Court Martial which convened at Fort Me-Pherson, Neb., pursuant to Paragraph 1, Special Orders No. 11, current series from these Headquarters, and of which Captain Edward H. Leib, 5th Cavalry, is President, and 1st Lieutenant Affred B. Bache, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Albert H. Lane, Company G, 5th Cavalry.

CHARGE-Violation of the 6th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard, wearing a ball and chain, at the post where his company may be serving, for six months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Patrick McGranyhan, Company L, 5th Cavalry.

Roled. Rooms? CHARGE I-Absence without leave.

CHARGE 2-Conduct to the prejudice of good order and military discipline.

Specification-In this that he, Private Patrick McGranuhan, Company L, 5th Cavalry, having received from Captain A. B. Taylor, 5th Cavalry, on the 23d of January, 1871, a public horse for the purpose of visiting North Platte, Neb., did return said horse to Captain A. B. Taylor, 5th Cavalry, on the 24th of January, 1871, entirely worn out and covered with sweat, thereby injuring said horse to such an extent as to render him for the time unserviceable.

All this at or near Fort McPherson, Neb., on or about the dates specified above.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge-Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor in charge of the guard at the post where he may be serving, for the period of one month; and to forfeit ten dollars per month of his monthly pay, to the United States, for the same period.

The proceedings, findings, and sentence in this case are approved, It would have been well had the Court required the examination of Captain Taylor, as to the note from Major Babcock at North Platte; which, if rightly described by the prisoner, would, it seems, have gone far to account for his overstay of leave. The confinement is remitted. The remainder of the sentence will be duly executed.

3d. Private Henry Wagner, Company F. 5th Cavalry.

Charge—Desertion. PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress, for six months; and to be confined at hard labor in charge of the guard at the post where he may be serving, for the same period, wearing a ball and chain weighing twenty-four pounds attached to his right leg.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Timothy A. Welsh. Company F, 5th Cavalry. CHARGE-Violation of the 50th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States seven dollars per month of his monthly pay for the period of one month.

The Court is thus lenient in view of the fact of the long confinement of the accused.

The proceedings, findings, and sentence in this case are approved

and confirmed, and the sentence will be duly executed.

5th. Private John Honlihan, Company I, 5th Cavalry.

CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE.—To be confined at hard labor in charge of the guard at the post where he may be serving, with ball and chain attached to his left leg, for six months; and to forfeit to the United States seven dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private James O' Neil Company M, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor, with ball and chain, in charge of the guard at the post where he may be serving, for the period of four months; and to forfielt to the United States four dollars per mouth of his monthly pay, for the same period.

In this case the proceedings, findings, and sentence are approved. In consideration of the voluntary surrender of the prisoner, the term of imprisonment is reduced to two mouths. As modified, the sentence will be duly excented.

7th. Private Adolph Berthel, Company M, 5th Cavalry. Charge—Descriton.

PLEA-Guilty.

FINDING -Guilty.

SENTENCE-To be confined at hard labor, with ball and chain, in

charge of the guard at the post where he may be serving, for the period of four months; and to forfeit to the United States four dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved. In view of the voluntary surrender of the prisoner, the term of confinement is reduced to two months. As modified, the sentence will be duly executed.

8th. Private Walter F. Cheney, Company L, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification— In this that he, Private Walter F., Cheney, Company L. 5th Cavalry, being a member of the guard in charge of prisoners, did negligently and wilfully allow Albert H. Lane, Private Company G, 5th Cavalry, a prisoner under his charge, to escape.

This at Fort McPherson, Neb., between the hours of 9 and 10.30 a.m., on the 12th day of February, 1871.

PLEAT-To the specification—Guilty except the words—"Negligently and wilfully."

To the charge--Guilty.

FINDING-Of the specification-Guilty, except the word "wilful-ly."

Of the charge-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard at the post where he may be serving, for the period of one mouth.

The proceedings, findings, and sentence in this case are approved. But the prisoner will be released on receipt of this order at the post where he may be serving.

9th. Private Robert Douglas, Company F, 5th Cavalry.

CHARGE-Violation of the 46th Article of War.

Specification—In this, that Private Robert Donglas, Company F, 5th Cavalry, being a member of the guard regularly mounted at North Platte, Neb., on the morning of January 18th, 1871, and daly posted as a sentinel over his company stables, was found sleeping on his post by the Corporal of the guard, between the hours of 12 and 1 o'clock r. m. This at North Platte, Neb., on the date above specified.

PLEA-Not Guilty.

FINDING-Guilty.

. Sentence-To-be confined at hard labor in charge of the guard

at the post where he may be serving, for the period of six months, wearing a ball and chain weighing twelve pounds attached to his ledi leg; and to forfeit ten dollars per month of his monthly pay, to the United States, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will de duly executed.

The mode of doing guard duty at this post, [North Platte] as shown in the evidence, is not creditable and should be amended.

II... Before a General Court Martial which convened at Camp Donglas, U. T., pursuant to Paragraph 2, Special Orders No. 21 current series from these Headquarters, and of which Captain Aljied L. Hough, 13th Infantry, is President, and 1st Lieutenant Henry C. Pratt, 13th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private James Carey, Company D, 2d Cavalry.

CHARGE 1-Violation of the 45th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private James Carey, Coupnay D, 2d Cavalry, being a prisone ruder charge of the guard, did, when refused by Sergeant Frederick Williams to see the officer of the day, call him, Sergeant Frederick Williams, a "Dutch bastard" and a "G—d—d—3 out of a b—M," and did use other abusive language.

This at Camp Douglas, U. T., on the 3d day of February, 1871.

PLEA—To the 1st charge and specification—Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard for a period of three months; and to forfeit to the United States ten dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly exceuted.

2d. Private John Keebler, Company C, 13th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private John Keebler, Company C, 13th Infantry, when ordered by Sergeaut Richard Brooks, Company C, 13th Infantry, to go to the guard house, did refuse to go, at

the same time striking with his closed hand at Sergeant *Brooks*, Company C, 13th Infantry. This at Camp Douglas, U. T., on the 20th day of January, 1871.

Specification 2—In this that he, Private John Keebler, Company C, 13th Infantry, while being taken to the guard house, by Sergeant Richard Brooks, Company C, 13th Infantry, he being in the exceution of his duty, did kick Sergeant Richard Brooks, Company C, 13th Infantry, in the stomach, thereby doing the said Sergeant bodity injury. This at Camp Douglas, U. T., on the 20th day of January, 1871.

Specification 3—In this that he, Private John Keebler, Company C, 13th Infantry, while being taken to the guard house by Sergeant Richard Brooks, Company C, 13th Infantry, he being in the execution of his office, did throw him upon the ground, kiek, and otherwise maltreat the said Sergeant Richard Brooks, Company C, 13th Infantry. This at Camp Douglas, U. T., January 20th, 1871.

Specification 4—In this that he, Private John Keebler, Company C, 13th Infantry, while being taken to the guard house by Sergeant Richard Brooks, Company C, 13th Infantry, in the execution of his duty, did strike him, the said Sergeant Brooks, several times on the head and face, thereby overpowering him, and when Sergeant Denis Quinlon, Company C, 13th Infantry, came to his assistance, did make use of the following threatening language—"Sergeant Quinlon, you are a mean son of a b—h, and I will put a builet through you, G—d d—d you, the first chance I get," repenting the words three times.

This at Camp Douglas, U. T., on the 20th day of January, 1871, PLEA-To the 1st specification-Guilty.

To the 2d specification-Guilty.

To the 3d specification—Not Guilty. To the 4th specification—Not Guilty.

To the charge-Not Guilty.

FINDING-Guilty.

SEXTENCE—To be confined at hard labor in charge of the gnard for a period of three months; and to forfeit to the United States ten dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Maurice Fitzgerald, Company D, 2d Cavalry.

Charge 1—Neglect of duty, in violation of the 44th Article of War.

Charge 2—Repeated drunkcuness, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification—Not Guilty.

SENTENCE—To be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private James Ryan, Company D, 2d Cavalry.

CHARGE 1-Neglect of duty, in violation of the 44th Article of War.

 ${\bf CHarge}$ 2—Habitual drunkenness, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification—Not Guilty, Finding—Of the specification 1st charge—Guilty.

Of the 1st charge-guilty.

Of the specification 2d charge—Guilty, except the words "from the 27th of November to the 5th of December, 1870, and again."

Of the 2d charge-Guilty.

SENTENCE—To be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

HL..The General Court Martial convened at Fort Sedgwick, C. T., pursuant to Paragraph I, Special Orders No. 14, current series from these Headquarters, and of which Lieutenant Colonel George A. Woodward, 14th Infantry, is President, and 2d Lieutenant William W. McCammon, Adjutant 14th Infantry, Judge Advocate, is hereby dissolved.

IV...The General Court Martial convened at Camp Douglas, U. T., pursuant to Paragraph 2, Special Orpers No. 24, current series from these Headquarters, and of which Captain Alfred L. Hough,

13th Infantry, is President, and 1st Lieutenaut Henry C. Pratt, 13th Infantry, Judge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: GEO. D. RUGGLES,

OFFICIAL

Assistant Adjutant General.

Aide-de-Camp.



FORT FRED. STEELE.

. Sergeaut John W. Smith, Company D, 13th Infantry.

2. Private Thomas Conners, Company H, 13th Infantry.

3. Private John Tiernan, Company A, 13th Infantry.

Private Hanson Kelly, Company H, 13th Infantry.
 Private James H. Campbell, Company A, 2d Cavalry.

./ 6. Private Samuel H. Stearnes, Company A, 2d Cavalry.

7. Private Michael Riley, Company D, 13th Infantry.

8. Sergeant Stephen Adams, Company D, 13th Infantry.
9. Private John Downey, Company D, 13th Infantry.

Private John Downey, Company D, 13th Infantry.
 Private John O'Connell, Company D, 13th Infantry.

11. Private F. W. Trueman, Company D, 13th Infantry.

12. Private Henry Hetty, Company A, 13th Infantry.
FORT RAWLINS.

1. Private Martin F. Nohilly, Company B, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebraska, March 6, 1871.

No 19.

I...Before a General Court Martial which convened at Fort Fred. Steele, W. T., pursuant to Paragraph I, Special Orders No. 24, current series from these Headquarters, and of which Captain Thomas B. Dences, 2d Cavalry, is President, and 1st Lieutenant William M. Waterbury, 13th Infantry, Judge Advocate, were arraigned and tried:—

1st. Sergeant John W. Smith, Company D, 13th Infantry.

CHARGE 1--Conduct to the prejudice of good order and military discipline.

Specification—In, that Sergeant John W. Smith, Company D, 13th Infautry, did go through the barracks of his company at night after taps, cursing certain recruits, and creating a disturbance, and fighting in the barrack room. This on the night of January 30th, 1871, at Fort Fred. Steele, W. T.

CHARGE 2-Drunkenness.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be reduced to the grade of a private soldier.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Thomas Conners, Company H, 13th Infantry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Thomas Conners, Company H, 13th Infantry, did become so much under the influence of intoxicating liquor that he was unable to appear at retreat roll call of his company. This at Fort Fred. Steele, W. T., on the 18th day of January, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined in the post guard house and do hard duty under charge of the guard, during the period of six months, and forfeit to the United States' Government the sum of ten dollars of his monthly pay per month, for the same period.

In this case the proceedings, findings, and sentence are approved, but the sentence is mitigated to read "three months" instead of "six months," and as modified, will be duly executed.

3d. Private John Tiernan, Company A, 13th Infantry.

Charge—Conduct to the prejudice of good order and military

discipline.

Specification—In this that he, Private John Tiernan, Company A, 13th Infantry, did carry to the rear used by the prisoners, a canteen filled with intoxicating liquor, for the purpose of supplying the prisoners with said intoxicating liquor. This at Fort Fred. Steele, W. T., on the 25th day of January, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved and confirmed. Private *Tiernan* will be restored to duty.

d confirmed. Private Tiernan will be restored to duty.

4th Private Hanson Kelly, Company H, 13th Infantry.

CHARGE 1-Violation of the 9th Article of War.

Specification-In this that he, Private Hanson Kelly, Company

II, 13th Infautry, being on extra duty in the Quartermaster's Department as teamster, to supply the post with water, on being ordered by Police Sergeant Henry Baker, Company II, 13th Infantry, one and one half hours before recall from fatigue, to hitch up his team and haul a supply of water, (the said Police Sergeant Henry Baker being at the time in the lawful execution of his office, and acting under the instructions of 2d Lieutenant Robert H. Young, 4th Infantry, officer of the dary 1dif fail to comply with said order.

This at Fort Fred. Steele, W. T., on the 7th day of February, 1871.

Charge 2-Insubordination.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—To do hard labor in charge of the guard for three months, and to forfeit to the United States twelve dollars of his pay per month for the same period.

In this case the proceedings and findings under the first charge are disapproved; disobedience to the orders of a non-commissioned officer not being properly laid under the 9th Article of War. With this exception, the proceedings, findings, and senteuce are approved, and the sentence will be duly executed.

5th. Private James H. Campbell, Company A, 2d Cavalry.

CHARGE 1-Violation of the 45th Article of War.

Charge 2—Neglect of duty, to the projudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification—Not Guilty. FINDING—Of the 1st charge and specification—Guilty.

INDING—Of the 1st charge and specification—Guilty.

Of the 2d charge and specification—Not Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of four months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private Samuel H. Stearnes, Company A, 2d Cavalry.

CHARGE 1-Drunkenness on duty, in violation of the 45th Article of War.

CHARGE 2-Disobedience of orders.

Charge 3-Neglect of duty.

PLEA-To the specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Guilty.

To the 2d charge-Not Guilty.

To the specification 3d charge-Guilty.

To the 3d charge-Not Guilty.

FINDING-Of the specification 1st charge-Guilty, except the word "totally."

Of the 1st charge-Guilty.

Of the specification 2d charge-Guilty.

Of the 2d charge-Guilty.

Of the specification 3d charge-Guilty.

Of the specification 3d cha Of the 3d charge—Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for one month, and to forfeit to the United States eight dollars of his monthly pay per month, for six months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private Michael Riley, Company D, 13th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In, that Private Michael Riley, Company D, 13th Infantry, did approach the sentinel, Private James Hughes, Company D, 13th Infantry, who was regularly posted as a member of the guard, at post No. 1, and insult him most grossly, using the following abusive language—"You are a son of a b—h"—and other taunting words of abuse. This at Fort Fred. Steele, W. T., on the 21st day of February, 1871.

Specification 2—In, that Private Michael Riley, Company D, 13th Infantry, when the Sergeant of the guard attempted to arrest him, did call him (the sergeant) "a son of a b—b," and other abusive names. This at Fort Fred. Steele, W. T., on the afternoon of the 21st day of February, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

Sentence—To be confined at hard labor under charge of the guard for the period of fifteen days, and to forfeit to the United States ten dollars per month of his monthly pay, for six months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Sergeant Stephen Adams, Company D, 13th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Not Guilty

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Sergeant Adams will be restored to duty.

9th. Private John Downey, Company D, 13th Infantry.

CHARGE 1-Violation of the 45th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private John Downey, Company D, 13th Infantry, while under the influence of intoxicating liquor, did, between retreat and tattoo, enter the quarters of Company A, 13th Infantry, and while there, did maliciously damage a sewing machine belonging to Musician William O. Fouler, Company A, 13th Infantry, to the extent of five dollars. This at Fort Fred. Steele, W. T., February 27th, 1871.

CHARGE 3-Absence without leave.

PLEA-Guilty.

FINDING -Guilty.

SEXTENCE—To forfeit to the United States ten dollars per month of his monthly pay, for the period of six months; and to be confined at hard labor under charge of the post guard for the period of one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th. Private John O'Connell, Company D, 13th Infantry. CHARGE I—Absence without leave.

CHARGE 2-Neglect of duty.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined under charge of the post guard for the period of fifteen days, and to forfeit to the United States ten dollars per month of his monthly pay, for four months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. 11th. Private F. W. Trueman, Company D, 13th Infantry.

Charge 1—Disobedience of orders.

CHARGE 2-Neglect of duty.

PLEA-Guilty.

FINDING-Guilty.

SEXTERCE—To forfeit to the United States five dollars per month of his monthly pay for six months, and to be confined six days under charge of the guard.

In this case the proceedings, findings, and sentence are approved, but in deference to the recommendation of the members of the Court, the sentence is mitigated to forfeiture of five dollars per month of his pay for two months; and as modified will be duly excented.

12th. Private Henry Hetty, Company A, 13th Infantry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Henry Hetty, Company A, 13th Infantry, did violently assault Private Charles Miller, Company A, 2d Cavalry, and Andrew Lyndon, citizen, with a knife, with the intent to inflict bodily injury on Private Charles Miller, Company A, 2d Cavalry, and Andrew Lyndon, citizen, and at the same time, did make use of the following language to wit: "I can kill any son of a b—h that belongs to the Cavalry, or any man on the plains that upholds them," or words to that effect. This at Fort Fred. Steele, W. T., on or about the 28th day of February, 1871.

Specification 2—Iu this that he, Private Henry Hetty, Company A, 13th Infantry, did assault Private Charles Miller, Company A, 2d Cavalry, Andrew Lyndon and Erastus A. Smith, citizens, with intent to kill, firing eight shots from an army rifle into the room occupied by Private Charles Miller, Company A, 2d Cavalry, Andrew Lyndon and Erastus A. Smith, citizens, wounding Andrew Lyndon, it itsens, wounding Andrew Lyndon, citizen, in the arm and putting several bullet holes through his clothing, he Private Henry Hetty, Company A, 13th Infantry, saying at the same time, "I will murder the last d—d son of a b—h in the house," or words to that effect. This at Fort Fred. Steele, W. T., on or about the 28th day of February, 1871.

PLEA-Guilty.

FINDING-Guilty.

Sentence—To be confined at hard labor under charge of the post guard for two months, and to forfeit to the United States ten dollars per month of his monthly pay for six months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II...Before a General Court Martial which convened at Fort Rawlins, U. T., pursuant to Paragraph 2, Special Orders No. 7, current series from these Headquarters, and of which Captain Nathan W. Okborne, 13th Infantry, is President, and 2d Lieutenant John B. Guthrie, 13th Infantry, Judge Advocate, were arraigned and tried:—

1st. Private Martin F. Nohilly, Company B, 13th Infantry. Charge 1—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Martin F. Nohitly, Company B, 13th Infantry, being detailed for duty in the Quartermaster's Department at Fort Rawlins, U. T., for a certain work, to wit:—to put together six common wheel-barrows, the pieces ready to be fit ted being furnished him, did fail to do said work; and after being repeatedly instructed how to do said work by 2d Lieutenant John S. Bishop, 13th Infantry, Acting Assistant Quartermaster, did still fail to do said work, and did neglect it, and did reply to said 2d Lieutenant John S. Bishop, 13th Infantry, Acting Assistant Quartermaster, that "this is carpenters work; I am no carpenter; if I was a good carpenter I would not be in the United States' service by a d—d sight," or words to that effect.

This at Fort Rawlins, U. T., on or about the 7th and 8th days of February, 1871.

CHARGE 2-Disobedience of orders.

PLEA—To the specification lst charge—Not Guilty, excepting the words—"I am no carpenter. This is carpenter's work. If I was a good carpenter I would not be in the United States' service by a d—d sight"—and to these words—Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge-Not Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of six months; and to forfeit to the United States' Government five dollars per month of his monthly pay, for the period of four months.

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read as follows:—To be confined at hard labor under charge of the guard for two months, and to forfeit to the United States five dollars per month of his pay, for the same period. As mitigated, the sentence will be duly executed.

III...The General Court Martial convened at Fort Fred. Steele, W. T., pursuant to Paragraph 1, Special Orders No. 24, current series from these Headquarters, and of which Captain Thomas B. Decees, 2d Cavalry, is President, and 1st Lieutenant William M. Waterbury, 13th Infantry, Judge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: GEO. D. RUGGLES, Assistant Adjutant General.

OFFICIAL

Aide-de-Camp.

20 1

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 16, 1871.

No. 20.

I...A Court of Inquiry, of which Colonel William H. Emory, 5th Cavalry, is President, and Captain George B. Russell, 9th Infantry, A. D. C., Judge Advocate, was convened at Omaha Barracks, on Saturday, March 11, 1871, upon the application of 2d Lieutenant J. H. Smallewood, 2d Cavalry, to investigate his conduct in connection with the killing of Private Thomas Hefty, Company G, 14th Infantry, on the 7th of March, 1871, and to report the facts in the case with their opinion and recommendation.

The Court having maturely considered the evidence adduced, find the following

FACTS.

That on the night in question, Lieutenaut Smallwood was on duty as officer of the guard at Omaha Barracks, Nebraska;

That it was the night following the payment of the nine companies there stationed;

That from 9 p. m., until 2 a. m., there was great disorder about the garrison;

That the saloons outside the reservation were the scenes of great disorder and drunkenness and the frequent discharge of fire-arms;

That the officer of the day had especially enjoined upon the officer of the guard the duty of preventing all disturbance and noise, on account of the failure (previously on the same day,) of an individual member of the guard to fire upon a prisoner attempting to escape;

That there had been a disposition among these rioters to evade the guard, and escape from it while attempting to arrest them;

That between 12 midnight and 1 o'clock a. m., on the 7th of March, Lieutenant Smallwood, hearing a noise, went out the central gate, with a corporal of the guard, and, proceeding toward the north gate, saw two men running toward the fence surrounding the garrison:

That he was within thirty or forty yards of the men;

That he ordered the men, twice, in a distinct tone to "Halt;"
That the men failing to halt as directed, he, Lieutenaut Small-

wood, fired at them and wounded Private Thomas He/ly, late of Company G, 14th Infantry, from the effects of which wound the said He/ly died on the evening of the same day, the 7th of March, 1871.

And the Court is of "the opinion that 2d Lieutenaut J. H. Small-wood, 2d Cavalry, is in no way to be blamed for his action in the matter; but that his action was a proper discharge of duty under the circumstances; and do respectfully give, as their opinion that no further proceedings are necessary."

II...There can be no doubt, after a study of the testimony, that there prevailed at the time among a portion of the garrison a dangerous degree of insubordination and violence which might, and probably would have spread and become alarming in character, but for the sternest enforcement of discipline at the hands of the officers of the command.

In his conduct as officer of the guard, Lieutenant Smallbood seems to have carried out with energy and fidelity the orders of the officer of the day. In the act which resulted in the death of Private Hefty, he did that which a strict necessity called for; that which, if neglected, would have exposed him to the just accusation of incompetency.

The action of the Court, in acquitting Lieutenant Smallwood of responsibility, is concurred in and approved by the Commanding General. No further proceedings will be taken in the matter.

III...The Court of Inquiry appointed by Paragraph 2, Special Orders No. 40, current series, from these Headquarters, and of which Colonel William H. Emory, 5th Cavalry, is President, is hereby dissolved.

By Command of Brigadier General Augur: GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 17, 1871.

No 21.

By authority from the War Department, so much of General Orders No. 13, current series, from these Headquarters, as relieves Captain John H. Belcher, Assistant Quartermaster, U. S. Army, from duty as Depot Quartermaster in this city, and instructs him to report, by letter, to the Adjutant General of the Army, is revoked.

> By Command of Brigadier General Augur: GEO, D. RUGGLES,

> > Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.



G. C. M.

OMARA BARRACKS.

- 1. Private Albert B. Swenk, Company A, 9th Infantry.
- 2. Private Ludwig Gumminginger, Unassigned, 2d Cavalry.
- Private Andrew Brann, Company M, 2d Cavalry.
 Private Isaac R. Bagley, Company A, 9th Infantry.
- Private Isaac R. Bagtey, Company A, 9th Intantry
 Private Thomas Grogan, Company M, 2d Cavalry
- 6. Private Leopold Hohman, Company K, 9th Infantry.
- 7. Private John Shea, Company M, 2d Cavalry.
- 8. Private Benjamin Hughes, Company K, 2d Cavalry.
- Private William V. Brock, Company K, 2d Cavalry.
 Private Edward L. James, Company C, 2d Cavalry.
- 11. Private James Mc.Muhon, Company E, 2d Cavalry.
- 12. Private John W. Gondon, Company B, 2d Cavalry.
- 13. Private Philip D'Aubigney, Company C, 2d Cavalry.
- Private Edwin G. Clark, Company C, 9th Infantry. FORT RAWLINS.
- 1. Private John J. Ewers, Company K, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 23, 1871.

No 22.

L.Before a General Court Martial which convened at Omaha Barracks, Neb., pursuant to Faragraph I, Special Orders No. 39, current series from these Hendquarters, and of which Lieutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and 1st Lieutenant Joshua L. Fowler, 2d Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private Albert B. Swenk, Company A, 9th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. 2d. Private Ludwig Gumminginger, Unassigned, 2d Cavalry.

CHARGE—Desertion.

PLEA-Guilty.

FINDING -Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for the period of six months; and to forficit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress, and at the expiration of that time to be dishonorably discharged the service.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Andrew Brann, Company M, 2d Cavalry.

CHARGE-Drunkenness on duty.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the guard for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Isaac R. Bagley, Company A, 9th Infantry.

CHARGE-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SEXTESCE—To forfeit to the United States five dollars per month of his mouthly pay for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private Thomas Grogan, Company M, 2d Cavalry.

CHARGE 1-Desertion.

Charge 2-Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—To forfeit all pay and allowances that are due or that may become due him; to be dishonorably discharged the United States' service, and to be confined for the period of two years in such peniteutiary as the Commanding General of the Department shall direct.

In this case, the prisoner, whatever may have been his intentions,

does not seem to have deserted the service when arrested. His of fense was a violation of the 99th Article of War The findings under the 1st charge are disapproved. The findings under the 2d charge are approved. The sentence is approved, but the term of confinement is reduced to eighteen months. The penientiary at Fort Madison, lown, is designated as the place of confinement for the prisoner, to which place he will be conducted under suitable guard, and turned over to the warden of the penientiary with a copy of this order.

6th. Private Lepold Hohman, Company K, 9th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

Finding-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private Hohman will be restored to duty.

7th. Private John Shea, Company M. 2d Cavalry.

CHARGE-Violation of the 44th Article of War,

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for two months; and to be confined at hard labor under charge of the guard for thirty days.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private Benjamin Hughes, Company K, 2d Cavalry.

Charge—Desertion.

PLEA-Not Guilty.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE—To forfeit to the United States five dollars of his monthly pay for one month, and to be confined at hard labor under charge of the guard for seven days.

In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

9th. Private William V. Brock, Company K, 2d Cavalry.

CHARGE-Desertion.

PLEA-Not Guilty, but guilty of absence without leave.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE-To forfeit to the United States five dollars of his

monthly pay for one month, and to be confined at hard labor under charge of the guard for seven days.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th. Private Edward L. James, Company C, 2d Cavalry.

CHARGE-Desertion.

PLEA-To the 1st specification-Not Guilty.

To the 2d specification—Not Guilty, excepting the words "in full citizen's dress."

To the charge-Not Guilty.

FINDING-Guilty.

SeyTYXXX.—To forfeit to the United States all pay and allowances now due or that may become due except the just dues of the laundress, to be confined at hard labor under charge of the guard for the period of six months, and then to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private James McMahon, Company E, 2d Cavalry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private James McMahon, Company E, 2d Cavalry, did become so drunk as to be disqualified to perform the duties of a soldier. This at Omaha Barracks, Neb., on or about February 17th, 1871.

Specification 2—In this that he, Private James McMahon, Company E, 21 Cavalry, did get into the bunk of Sergeant John Hollenbacker. Company E, 24 Cavalry, and did seize him by the throat and threaten to choke him, and did refuse to get out of the bunk when ordered to do so by lat Sergeant William Land, Company E, 24 Cavalry, and did threaten to blow said lat Sergeant Land's heart out at the first opportunity. This at Omaha Barracks, on or about February 17th, 1871.

Specification 3—In this that he, Private James McMahon, Company E, 2d Cavalry, when ordered to the guard house by 1st Sergeant William Land, Company E, 2d Cavalry, said Sergeant being in the execution of his duties, did refuse to go, and did strike and otherwise abuse Sergeant Hollenbacher and Corporal Bartley, Company E, 2d Cavalry, and did resist them when they endeavored to take him to the guard house; said non-commissioued officers being in the execution of their duties at the time. This at Omaha Barracks, Neb., on the night of the 17th day of February, 1871.

ADDITIONAL CHARGE-Desertion.

PLEA-To the 1st specification 1st charge-Guilty.

To the 2d specification 1st charge-Not Guilty.

To the 3d specification 1st charge—Guilty, except the words—"aud did strike."

To the 1st charge-Not Guilty.

To the specification additional charge-Not Guilty.

To the additional charge-Not Guilty.

FINDING-Guilty.

SENTENCE—To forfeit all pay and allowances that are now due or that may become due; to be confined at hard labor under charge of the guard for the period of eight months, and then to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved, although the prisoner's intention to commit the crime of desertion is not so clear as to induce the reviewing anthority to concur in the findings under the additional charge without some hesitation. The term of confinement is reduced to four months. As modified, the sentence will be duly executed.

12th. Private John W. Gondon, Company B, 2d Cavalry.

CHARGE-Theft.

PLEA-Not Guilty. FINDING-Guilty.

SEYEXEE—To forfit all pay and allowances that are now due or that may become due, to be dishonorably discharged and drummed out of the service of the United States, marching twice around the parade ground of the garrison, with a placard marked THEF on his breast, and another on his back marked in the same way.

In this case the proceedings, findings, and sentence are approved and confirmed and the sentence will be duly executed.

13th. Private Philip D'Aubigney, Company C, 2d Cavalry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2-Violation of the 46th Article of War.

PLEA-To the 1st charge and specification-Not Guilty.

To the 2d charge and specification-Guilty.

Finding—Of the specification list charge—Guilty, except the words "did become," substituting therefor the word "was"

Of the 1st charge-Guilty.

Of the specification 2d charge-Guilty.

Of the specification 2d charge—Guilt Of the 2d charge—Guilty.

SENTENCE—To be confined at hard labor under charge of the guard at the post where his company may be serving, for six months, wearing a ball weighing twenty-four pounds attached to his left leg by a chain six feet long; and to forfeit to the United States ten dollars per month of his monthly pay for the some period.

In this case the proceedings are approved except in the following particulars:—The prisoner asked Lieutenaut Smallhoood, in cross-examination, the following question—"10 you not hold prejudice against me?" The Court excluded the question on the objection of one of its members, the reason of which objection is not recorded.

The question was a perfectly proper one; but the charge against the prisoner is so fully established by other evidence that this error of the Court will not be regarded as vitiating the proceedings, as the exclusion of the interrogatory but nominally impaired the prisoner's defence. Why the question was objected to originally, and why the Court deemed it proper to exclude it, are problems for which the reviewing authority can discover no adequate solution.

The findings and sentence are approved, but the term of confinement is reduced to three months. As modified, the sentence will be duly executed.

14th. Private Edwin G. Clark, Company C, 9th Infantry.

CHARGE-Desertion.

PLEA-Not Guilty.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE—To forfeit to the United States five dollars of his monthly pay for one morth, and to be confined at hard labor under charge of the guard for seven days.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II...Before a General Court Martial which convened at Fort Rawlins, U. T., pursuant to Paragraph 2, Special Orders No. 7. current series from these Headquarters, and of which Captain Nathan W. Osborne, 13th Infantry, is President, and 2d Licutenant John B. Guthrie, 13th Infantry, Judge Advocate, were arraigned and tried:

1st. Private John J. Ewers, Company K, 13th Infantry.

Charge 1-Desertion.

CHARGE 2-Theft.

Specification 1—Sets forth the theft of one Springfield breechloading rifle.

Specification 2—Sets forth the theft of twenty-five metallic cartridges.

PLEA -To the 1st charge and specification-Guilty.

To the 2d charge and specifications—Not Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States Government all pay and allowances that are due or that may become due bim, excepting the just dues of the laundress; to refund to the United States Government all expenses incurred in his apprehension, and all artieles of clothing, camp and garrison equipage, ordnance and ordnance stores, and tobacco charged against him; to be branded on the laft hip with the letter D, one and one-half inches long; to be drummed out of the service; and then to be confined in such peniteutiary or aillilary prison as the Department Commander may direct, for a period equal to the remainder of his term of enlistment.

In this case the finding under the lst specification to the 2d charge is disapproved; the evidence being insufficient, although the probabilities against the prisoner are strong. In the sentence the term "branded" is altered to "indelibly marked."

With these exceptions the proceedings, findings, and sentence

With these exceptions the proceedings, findings, and sentence are approved, but the sentence is modified by the addition of the words—"provided such confinement shall not exceed one year."

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement for the prisoner, to which place he will be conducted under suitable gnard and turned over to the warden of the penitentiary with a copy of this order.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

Depleter

Aide-de-Camp.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 24, 1871.

GENERAL ORDERS, \ No 23.

L. Every company commander, serving in this Department, will at once report to these Headquarters, through Regimental Headquarters, the strength of his company as it will be on the 30th of June, 1871, together with names of indifferent soldiers of the company, who ought to be discharged for the good of the service, with date of expiration of enlistment and special cause for discharge in each case thus recommended.

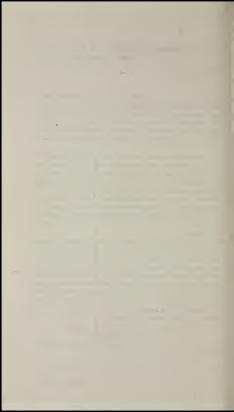
II...When officers of this command on duty in Staff Departments are relieved therefrom, the commanding officer of the post will satisfy himself by personal inspection that all public property and funds pertaining to the duty have been turned over and accounted for before the officer relieved is permitted to leave the post. This inspection must be made rigidly, and not lightly or carelessly—when deficiencies in property or funds are discovered, the fact will be immediately reported to these Headquarters, and the officer responsible for them will be held to await the orders of the Commanding General.

HL..The repeated losses, within the past few months, of public arms by theft from company quarters indicates a growing evil, whose abatement necessitates every care on the part of company and Post commanders. Hereafter, at every post, one non-commissioned officer will be kept constantly on duty, for each squad room of the garrison, who, during his tour, shall be held responsible, night and day, for the safety and security of all arms and accontrements in the room. A record of non-commissioned officers, detailed, mounted and relieved, for this purpose, will be kept with the records of the company for future reference if required.

> BY COMMAND OF BRIGADIER GENERAL AUGUE: GEO, D. RUGGLES,

> > Assistant Adjutant General.

OFFICIAL



G. C. M.

OMAHA BARRACKS.

- Private Noah Hency, Company C, 9th Infantry.
 Private John Talbert, Company E, 2d Cavalry.
- Private John Taibert, Company E, 2d Cavairy.
 Private John K. Miller, Company K, 9th Infantry.
- 4. Wagoner William H. Nelson, Company K, 9th Infantry.
- 5. Private John J. Harrison, Company C, 2d Cavalry.
- 6. Sergeant Owen Devine, Company K, 9th Infantry.
- Musician Otto Karges, Band 2d Cavalry.
 Private Joseph C. Miller, Company K, 2d Cavalry.
- 9. Private Michael Harvey, Company K, 9th Infantry.
- 1. Private Jacob L. Pfaff, Company F, 5th Cavalry.
- 2. Private Charles Van Horn, Company E, 9th Infantry.
- 3. Private William G. Odell, Company I, 5th Cavalry.
- Private John O'Donnell, Company I, 5th Cavalry.
 Private John Smith, Company I, 5th Cavalry.
- Private John Smith, Company I, 5th Cavalry.
 Private John Hartman, Company L. 5th Cavalry.
- Private John Hariman, Company L. 5th Cavalry.
 Private Thomas Sloan, Company H. 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, March 30, 1871.

GENERAL ORDERS, No. 24.

I...Before a General Court Martial which convened at Omaha Barmcks, Neb., pursuant to Paragraph I, Special Orders No. 39, current series from these Headquarters, and of which Lieutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and 1st Lieutenant Lieutenant Joshua L. Fowler, 2d Cavalry, Judge Advocate, were arraigned and tried:—

1st Private Noah Hency, Company C, 9th Infantry.

CHARGE-Desertion.

PLEA-Not Guilty.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE—To forfeit to the United States five dollars of his mouthly pay for one month, and to be confined at hard labor under charge of the guard for seven days. In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

2d. Private John Talbert, Company E, 2d Cavalry.

Charge—Desertion.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

In this case the proceedings, findings, and acquittal are approved.

Private Talhert will be restored to duty.

3d. Private John K. Mitter, Company K, 9th Infantry.

Charge-Desertion.

PLEA-Not Gnilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private Miller will be restored to duty.

4th. Wagoner William H. Nelson, Company K, 9th Infantry.

CHARGE—Desertion.

PLEA-Not Guilty. FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. The prisoner will be restored to duty.

5th. Private John J. Harrison, Company C, 2d Cavalry.

CHARGE 1-Positive and wilful disobedience of orders.

CHARGE 2-Violation of the 44th Article of War.

PLEA—To the 1st charge and specification—Not Guilty.

To the 2d charge and specification—Guilty.

FINDING-Of the 1st charge and specification-Not Guilty.

Of the 2d charge and specification—Rolly

SENTENCE—To forfeit to the United States eight dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th, Sergeant Owen Devine, Company K, 9th Infantry.

Силков 1—Neglect of duty, to the prejudice of good order and military discipline.

CHARGE 2-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Of the 1st charge and specification-Not Guilty.

Of the 2d charge and specification—Guilty. Sentence—To be reduced to the rank of a private soldier.

The proceedings, findings, and sentence in this case are approved

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Musician Otto Karges, Band 2d Cavalry.

Charge—Desertion.
PLEA—Not Guilty.

· Finding-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. The prisoner will be restored to duty.

8th. Private Joseph C. Miller, Company K, 2d Cavalry. Charge—Desertion.

PLEA -Gnilty

FINDING -Guilty.

SEXTEXUE—To be confined at hard labor under charge of the guard for the period of six months; to forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

9th. Private Michael Harvey, Company K, 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military iscipline.

Specification I—In that Private Michael Harcey, Company K, 9th Infantry, did. while under the influence of liquor, create a disturbance in and around the barracks of Company K, 9th Infantry.

Specification 2—In that Private Michael Harrey, Company K, 9th Infantry, did violently resist and strike with his elenebed fist, Lance Corporal James Young, Company K, 9th Infantry, he being at the time in the execution of his office as non-commissioned officer in charge of barracks.

All this at Omaha Burracks, Neb., on or about the 26th day of March, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor under charge of the

guard for the period of three months, wearing a twelve pound ball attached to his left leg. by a six foot chain; and to forfeit to the United States five dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II...Before a General Court Martial which convened at Fort Mc-Pherson, Neb., pursuant to Paragraph 1, Special Orders No. 11, current series from these Headquarters, and of which Captain Edward H. Leib, 5th Cavalry, is President, and 1st Lieutenant Alfred B. Bache, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Jacob L. Pfaff, Company F, 5th Cavalry,

Charge 1-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private P/aff will be restored to duty.

2d. Private Charles Van Horn, Company E, 9th Infantry. CHARGE-Desertion.

PLEA-Guilty.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE-To be confined at hard labor under charge of the guard at the post where his company may be serving for three months.

In this case the Court has made the mistake of convicting the prisoner of an offense other than that to which he pleaded guilty .-He is found guilty of absence without leave after confessing desertion; and this without the introduction of any testimony. The only legal evidence before the Court, was the prisoner's public confession; his statement not being evidence. The correct course to pursue, if the Court gave credit to the prisoner's statement, would have been to direct the Judge Advocate to enter the plea of "Not guilty," and hear testimony on the facts. As it is, the Court has disregarded the prisoner's confession of guilt, with no evidence before them by which to justify their action.

The proceedings, findings, and sentence are disapproved. The prisoner will be restored to duty.

3d. Private William G. Odell, Company I, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard at the post where he may be serving, for the period of one year; and to forfeit to the United States six dollars per month of his monthly pay, for the same period.

The proceedings, findings, and sentence in this case are approved. In view of the prisoner's general good character, and the recommendation of several members of the Court, the term of confinement is reduced to six months. The forfeiture of pay will be for the same period. As mitigated, the sentence will be duly executed.

4th. Private John O'Donnell, Company I, 5th Cavalry.

CHARGE 1-Violation of the 46th Article of War.

 $\ensuremath{\mathsf{Charge}}$ 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private John O'Ponnell, Company, I, 5th Cavalry, did intentionally break the carbine entrusted to his charge, and for which his company Commander, 1st Lieutenant S. C. Kellogg, 5th Cavalry, was responsible: this while he, Private O'Donnell, was a member of the guard, duly mounted at Fort Mc-Pherson, Neb., on the 16th day of March, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard at the post where he may be serving, for the period of six months; and to forfeit seven dollars per month of his monthly pay, for the same period, to the United States; and to be charged on the muster and pay rolls of his company, the money value of one carbine stock, intentionally broken by Private O'Donnetl, while a member of the guard, on the 16th day of March, 1871.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private John Smith, Company I, 5th Cavalry. Charge—Desertion.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-To be confined at hard labor in charge of the guard

at the post where his company may be serving, for the period of twelve months, and to forfeit six dollars per month of his monthly pay to the United States for the same period.

There is some carelesaness in the findings in this case. Instead of being absent an entire day as alleged and found, the only evidence to the point is that the prisoner missed one roll call. It need not be doubted that it was his intention to desert, but the testimony shows that he searcely went beyond the intention, not having time or opportunity to complete his erime.

With this exception, the proceedings, findings, and sentence are approved, but the term of imprisonment is reduced to six months. As mitigated, the sentence will be duly executed.

6th. Private John Hartman, Company L, 5th Cavalry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2--Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private John Hartman, Company L, 5th Cavalry, did abuse a horse, the property of the United States, hy unnecessarily running and kicking him, and jerking the reins.— This at or near North Platte, Neb., on or about the 13th day of March, 1871.

CHARGE 3-Violation of the 21st Article of War.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification—Not Guilty.

To the 3d charge and specification—Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge—Guilty, except the words "kicking him and jerking the reins."

Of the 2d charge-Guilty.

Of the specification 3d charge-Guilty.

Of the 3d charge-Guilty.

Sentence—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of four months, and to forfeit to the United States six dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. 7th. Private Thomas Sloan, Company II, 5th Cavalry.

CHARGE I-Absence without leave.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Thomas Sham, Company II, 5th Cavalry, having bean arrested at the post trader's store Corporal George W. Charchill, Company H., 5th Cavalry, detailed with a party of said Company II, for that purpose, and the said Sham having been placed under charge of Private Thomas H. Delaney, Company H., 5th Cavalry, then on duty with said Corporal Charchill, did escape from said Private Delaney and proceed wards Mr. McDonald's store, and when parsued by said Corporal Charchill and ordered to halt, did go on his way, and upon being overtaken and ordered by said Corporal Charchill to go hack, did say "I wont go back," or words to that effect; and did so retuse to bey until compelled by force; and did, on the way to the guard house, say to Corporal Charchill in the presence of Privates James Derine and Thomas II. Delaney, Company II, 5th Cavalry, "D—n you, II life sy note this," or words to that effect.

All this at Fort McPherson, Neb., on or about the 18th day of March, 1871.

PLEA—To the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty.

Finding-Guilty.

Seatemen-To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of thirty days, and to forfeit to the United States ten dollars per month of his mouthly pay for the period of two months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES, Assistant Adjutaget

OFFICIAL

Marianele Aide de Camp.



G. C. M.

FORT D. A. RUSSELL.

- Private Charles S. Hunt, Company C, 14th Infantry.
 Artificer David H. Deeker, Company C, 14th Infantry.
- 3. Private John Read, Company C, 14th Infantry.
- 4. Private Thomas Barlow, Company C, 14th Infantry.
- 5. Private James Reade, Company C, 14th Infantry.
- 6. Private John Sweeney, Company C, 14th Infantry.
- 7. Private Owen Gerraughty, Company D, 9th Infantry.
- Private John Montague, Company K, 5th Cavalry.
 M. sician Frank Gass, Company H, 9th Infantry.
- 10, Private Charles T. Peterson, Company D, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, April 1, 1871.

No. 25.

I... Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 41, current series from these Headquarters, and et which Captain Philip A. Owen, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private Charles S. Hunt, Company C, 14th Infantry.
CHARGE—Conduct to the prejudice of good order and military

discipline.

Specification 1—In this that he, Private Charles S. Hunt, Company C, 14th Infantry, a duly enlisted soldier in the service of the United States, did absent himself, without permission from proper authority, from inspection and muster on the 28th day of February, 1871. This at Depot Fort D. A. Russell, W. T., on the date above specified.

Specification 2—In this that he, Private Charles S. Hunt, Cempany C, 14th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his company and quarters, without permission from proper authority, on the 28th day of February, 1871, and did remain absent until at or about 8 o'clock p. m, of the above date. This at Depet Fert D. A. Russell, W. T., on the date above specified.

Specification 3.—In this that he, Private Charles S. Hunt, Company C, 14th Infantry, a duly enlisted soldier in the service of the United States, having been regularly detailed for guard at about 12 o'clock m. on the 1st day of March, 1871, did fail to parade with his company detail for guard, on the evening of the same date. This at Depot Fort D. A. Russell, W. T., on the 1st day of March, 1871.

Specification 4—In this that he, Private Charles S. Hunt, Company C. 14th Infantry, a duly enlisted coldier in the service of the United States, did absent himself from his company and quarter without permission from proper authority, from about 2 o'clock p. m., March 1, 1871, and did remain absent until at or about 8 o'clock p. m., of the above date. This at Depot Fort D. A. Russell, W. T., on the date above specified.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars per month of his monthly pay for the period of three months.

It is with much hesitation that the Department Commander approves the proceedings in this case. The offenses alleged against the prisoner are wrongly laid under the 99th Article of War; that in the first and third specifications being clearly a violation of the 4th, and that in the second and fourth, of the 21st Article of War It is an established rule of military law "when certain conduct is clear violation of a specific article of war, it should be charged under that article. Thus an offense which is clearly a violation of the 45th Article is not properly charged as a violation of the 85d or the 99th," (Digest p. 80.)

In consideration of the fact, however, that under the 21st, 44th and 99th articles, the punishment which the Court is at liberty to pronounce is alike discretionary, and that therefore the prisoner's rights have been in no way impaired by the error here pointed out, the proceedings, findings, and scutence are approved and confirmed, and the sentence will be duly executed.

2d. Artificer David II. Deeker, Company C, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Artificer David H. Decker, Cempany C, 14th Infantry, a duly enlisted soldier in the service of the United States, did absent himself without permission from proper authority, from inspection and muster on the the 28th day of February, 1871. This at Depot Fort D. A. Russell, W. T., on the date above specified.

Specification 2—In this that he, Artificer David II. Decker, Company C. 14th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his company and quarters, without permission from proper authority, on the 28th day of February, 1871, and did remain absent until at or about 6 c'elock a.m., March 1st, 1871. This at Depot Fort D. A. Russell, W. T., on the date above specified.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for the period of two months.

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The remarks in the case of Private Charles S. Hunt, Company C, 14th Infantry, tried before the present Court, apply to this case with equal force.

3d. Private John Read, Company C, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private John Read, Company C. 14th Infantry, a duly enlisted soldier in the service of the United States, did absent himself, without permission from proper authority, from inspection and muster on the 28th day of February, 1871. This at Depot Port D. A. Russell, W. T. on the date above specified.

Specification 2—In this that he, Private John Read, Company C, this Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his company and quarter without permission from proper authority, on the 28th day of February, 1871, and did remain absent until at or about 8 o'clock p, m. of the above date. This at Depot Fort D. A. Russell, W. T., on the date above specifies.

Specification 3-In this that he, Private John Read, Company C, 14th Infantry, a duly enlisted soldier in the service of the United States, having been regularly detailed for guard at about 12 o'clock m., on the 1st day of March, 1871, did fail to parado with his company detail for guard on the evening of the same date. This at Depot Fort D. A. Russell, W. T., on the 1st day of March, 1871, Specification 4—In this that hc, Private John Read, Company C, 14th Infantry, a duly culisted soldier in the service of the United States, did absent himself from his company and quarters without permission from proper authority, from 2 o'clock p. m., on the 1st day of March, 1871, and did remain absent until about 8 o'clock p. m., of the above date. This at Depot Fort D A. Russell, W. T., on the date above specified.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The remarks in the case of Private Charles S. Hunt, Company C, 14th Infantry, tried before the present Court, apply to this case with equal force.

4th. Private Thomas Barlow, Company C, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Thomas Barlow, Company C, 14th Infantry, a duly enlisted soldier in the service of Company C. 14th Infantry, a duly enlisted soldier in the service of United States, having been regularly detailed for guard at Reveille roll call on the 25th day of February, 1871, did fail to parade with his company detail for guard on the evening of the above mentioned date. This at Depot Fort D. A. Russell, W. T., on or about the date above specified.

Specification 2.—In this that he, Private Thomas Barlow, Company C. 14th Infantry, a duly enlisted soldler in the service of the United States, did absent himself from his company and quarters, without permission from proper authority, on the 25th day of February, 1871, and did remain absent until at or about 7 o'clock a. m., 26th February, 1871. This at Depot Fort D. A. Russell, W. T., on or about the date above specified.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States eight dollars per month, of his monthly pay for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. The remarks in the case of Private Charles S. Hunt, Company C, 14th Infantry, tried before the present Court, apply to this case with equal force.

5th. Private James Reade, Company C, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1--In this that he, Private James Reads, Company C, 14th Infantry, did absent himself from his company and quarters without permission from proper authority, after tattor roll call on the night of the 24th February, 1871. This at Depot Fort D. A. Russell, W. T., on or about the date above specified.

Specification 2—In this that he, Private James Reade, Company C, 14th Infantry, did, when ordered by the Sergeant of the guard (Sergeant George W. Britow, Company C, 14th Infantry), to leave the Sutler's store and go with him to the guard house, make use of abusive and threatening language towards him (Sergeant Barlow) to-wit:—"Go to hell, you d—d son of a b—h; if you come here we will put a head on you, you bastard."—Sergeant Barlow being at the time in the exceution of his duty. This at Depot Fort D. A-Russell, W. T., on or about the 24th day of February, 1871.

Specification 3-In this that he, Private James Reade, Company C, 14th Infantry, did, when arrested by the guard, offer violence by attempting to disarm a member of the guard and by attempting to kick other members of the guard, they, the guard, being at the time in the execution of their duty. This at Depot Fort D. A. Russell, W. T., on or about the 24th day of February, 1871.

Specification 4—In this that he, Private James Reide, Company C, 14th Infantry, did, on the morning of the 23d of February, 1871, while a prisoner in the guard house, use abusive and threatening language towards the Sergeant of the guard (Sergeant Barlow's saying "When I get out of here I will punch Sergeant Barlow's head, the d—d son of a b—h." This at Depot Fort D. A. Russell, W. T., on or about the date above specified.

PLEA-To the 1st specification-Guilty.

To the 2d specification-Not Guilty.

To the 3d specification-Not Guilty.

To the 4th specification-Not Guilty.
To the charge-Guilty.

FINDING -- Guilty.

SENTENCE—To be confined at hard labor under charge of the guard at the post where his company may be serving, for the period of eighteen months, wearing a twelve pound iron weight attached to his left leg by a chain three feet long; and to forfeit to the United States twelve dollars per month of his pay for the same period.

In this case the two witnesses for the prosecution contradict each other in several important particulars. In the opinion of the reviewing authority, the only point placed by the testimony beyond a doubt is that the prisoner got drunk and was insolent to the Sergeant of the guard on the day alleged. Confinement for eighteen months is regarded as unduly serore, and the term is reduced to six months. The forfeiture decreed by the Court will be exacted also for the same period. With these exceptions, the proceedings, findings, and sentence are approved, and the sentence, as modified, will be duly executed.

6th. Private John Sweeney, Company C. 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private John Succency, Company C, 14th Infantry, did absent himself without permission from proper authority, from his company and quarters, after tattoo roll call on the night of the 24th of February, 1871. This at Pepot Fort D. A. Russell, W. T., on or about the date above specified.

Specification 2—In this that he, Private John Succeasey, Company C, 14th Infantry, did, when ordered by the Sergeant of the guard (Sergeant George W. Barlow, Company C, 14th Infantry), to leave the Sutler's store and go with him to the guard house, make use of abusive and threatening language towards him (Sergeant Barlow) to wit:—Go to hell, you d—d son of a b—h; if you come here we will put a head on you, you bastard;" Sergeant Barlow being at the time in the execution of his office. This at Depot Fort D. A. Russell, W. T., on or about the 24th day of February, 1871,

Specification 3—In this that he, Private John Successey, Company, C, 14th Infantry, did, when arrested by the guard, offer violence by attempting to disarm a member of the guard and by attempting to strike the Sorgeant of the guard (Sergeant Burlow); the Sergeant and the member of the guard being at the time in the execution of their duty, This at Dapot Fort D, A. Russell, W. T., on or about the 24th day of February, 1871.

Specification 4—In this that he, Private John Suceney, Company C, 14th Infantry, did, on the morning of the 25th of February, 1871, while a prisoner in the guard house, use abusive and threatening language towards the Sergeant of the guard (Sergeant Barlow's sying "When I get out of here I will punch Sergeant Barlow's head, the d—d son of a b—h." This at Depot Fort D. A. Russell, W. T., on or about the date above succified.

PLEA-To the 1st specification-Guilty.

To the 2d specification-Not Guilty. To the 3d specification-Not Guilty,

To the 4th specification-Not Guilty.

To the charge-Not Guilty.

Finding-Guilty.

SENTREE:—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of eighteen months, wearing a twelve pound iron weight attached to his left leg by a chain three feet long; and to forfeit to the United States twelve dollars per month of his pay for the same period.

It is regarded as extraordinary that this prisoner should have made uc, as testified by the principal government witnesses, of precisely the same terms of abuse and insult, syllable for syllable, as those employed by Private Reade, who was tried on the same day.

The term of eighteen months imprisonment seems needlessly long, and is reduced to six months. The forfeiture of the pay will also be for the same period.

Except in these particulars, the proceedings, findings, and sentence are approved and confirmed, and the sentence as modified,

will be duly executed,

7th. Private Owen Gerraughty, Company D. 9th Infantry,

Cuange-Violation of the 45th Article of War,

PLEA-Guilty.

FINNING-Guilty.

SKYTENCE—To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of six months, wearing a ball and chain weighing twelve pounds attached to his left leg, the chain to be three feet long.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private John Montague, Company K, 5th Cavalry.

CHARGE-Drunkenness on duty.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for six months, wearing during that period a twelve pound iron weight attached to his left leg by a chain three feet long.

The proceedings, findings, and sentence in this case are approved. In consideration of the prisoner's good character and long service, the Department Commander is disposed to believe that leniency will not be without a good effect. The term of confinement is therefour reduced to three months.

As mitigated, the sentence will be duly executed.

9th. Musician Frank Gass, Company H, 9th Infantry.

CHARGE-Desertion, in violation of the 20th Article of War,

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved.

Musician Gass will be restored to duty.

10th, Private Charles T. Peterson, Company D, 5th Cavalry.

CHARGE-Desertion.
PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private Peterson will be restored to duty.

H...The General Court Martial convened at Omaha Barracks, Nebraska, pursuant to Paragraph 1, Special Orders No. 33, current series from these Headquarters, and of which Licutenant Colonel Albert G. Brockett, 2d Cavalry, is President, and 1st Licutenant Johna L. Forder, 2d Cavalry, Judge Advocate, is kercby dissolved.

By Command of Brigadier General Augur:

GEO. D. RUGGLES.

Assistant Adjutant General.

OFFICIAL:

Alda de Cama

G. C. M.

FORT RAWLINS.

- 1. Private Richard Deady, Company B, 13th Infantry.
- 2. Private John Clary, Company B, 13th Infantry. 3. Private John Hoben, Company B, 13th Infantry.
- 4 Corporal Thomas Makoney, Company K, 13th Infantry. FORT McPHERSON.
- 1. Private Henry Murray, Company H, 5th Cavalry,
- 2. Private John O'Rearden, Company L, 5th Cavalry, FORT D. A. RUSSELL.
- 1. Private Edward Hamilton, Company F. 9th Infantry.
- 2. Private Charles H. Webb, Company II, 9th Infantry. Private Charles H. Webb, Company H. 9th Infantry, 3. Private Frederick Avery, Company D, 5th Cavalry.
- Private William Lee, Company F, 5th Cavalry.
- 4. Private James Keeffe, Company C, 14th Infantry.
- 6. Private Charles S. Hunt, Company C, 14th Infantry.
- 6. Sergeant Arthur J. Judd, Company C, 14th Infantry. 7. Private James Smith, Company II, 9th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE. Omaha, Nebraska, April 6, 1871. GENERAL ORDERS, No. 26.

I ... Before a General Court Martial which convened at Fort Rawlins, U. T., pursuant to Paragraph 2, Special Orders No. 7, current series from these Headquarters, and of which Captain Nathan W. Osborne, 13th Infantry, is President, and 2d Lieutenant John B. Guthrie, 13th Infantr:, Judge Advocate, were arraigned and tried :-

1st. Private Richard Deady, Company B, 13th Infantry.

CHARGE 1-Absence without leave. CHARGE 2-Disobedience of orders.

PLEA-To the 1st charge and specification-Guilty,

To the 2d charge and specification-Not Guilty, FINDING-Guilty.

SENTENCE-To forfeit to the United States Government twelve dollars per month of his monthly pay for the period of twelve months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "two months" instead of "twelve months;" and as mitigated will be duly executed.

2d. Private John Clary, Company B, 13th Infantry.

Спавов 1—Absence without leave.

CHARGE 2-Disobedience of orders.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING -- Guilty.

SENTENCE—To forfeit to the United States Government twelve dollars of his monthly pay for the period of twelve months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved, but in view of the treatment to which the prisoner was subjected at the time of his arrest, and the punishment then inflicted by order of the officer making the arrest, the sentence is modified to read "one month" instead of "twelve months;" and as mitigated will be duly executed.

3d. Privato John Hoben, Company B, 13th Infantry.

CHARGE-Sleeping on post,

PLEA-Not Guilty. FINDING-Guilty.

SENTENCE—To be confined at hard labor under chargo of the guard for the peciod of twelve months, and to forfeit to the United States Government ten dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "six months" instead of "twelve months;" and as mitigated will be duly executed.

4th. Corporal Thomas Mahoney, Company K, 13th Infantry.

Charge-Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this, that Corporal Thomas Makoney, Company K, 13th Infantry, did, while upon duty in command of the post guard at Fort Rawlins, Utah, permit Privato James C. Brown, Company K, 13th Infantry, a prisoner in charge of the guard, to go outside the enclosure to the stream adjoining the post, without a sentinel, and did thereby permit the said prisoner, Private James C. Brown, Company K, 13th Infantry, to escape.

This at Fort Rawlins, U. T., on the 12th day of March, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him,

The proceedings, findings, and acquittal in this case are approved. Corporal Mahoney will be restored to duty.

II...Before a General Court Martial which convened at Fort McPherson, Nebraska, pursuant to Paragraph 1, Special Orders No. 11, current series from these Headquarters, and of which Captain Edward II. Leib, 5th Cavalry, is President, and 1st Lieutenant Alfred B. Backe, 5th Cavalry, Judge Advocate, were arraigned and triod:—

1st. Private Henry Murray, Company II, 5th Cavalry,

CHARGE 1 -- Absence without leave.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Henry Murray, Campany II, 5th Cavalry, having been ordered by Corporal George W. Churchill, Company II, 5th Cavalry, to go with him to the guard house, did rush at 1st Sergeant F. McCourt, Company II, 5th Cavalry, and upon being held and prevented by said Corporal Churchill, did turn against him (Churchill) offering violence by repeatedly striking at him and persisting to do so until compelled by force to desist by several non-commissioned officers of the company.

This in the presence of the company at stables at the time, at Fort McPherson, Nebraska, on or about the 18th day of March, 1871.

Specification 2—In this that he, Private Meary Murray, Company II, 6th Cavalry, on being conducted to the guard house by Sergeant Daniet McGrath, Company II, 5th Cavalry, did run away from him and rush at 1st Sergeant Francis McGourt, Company II, 6th Cavalry, and strike him and abuse him with the most obscene language, repeatedly using the words "You dirty son of a b—h," or words to that effect. This at Fort McPherson, Nebraska, on or about the 18th day of March, 1871.

PLEA - To the 1st charge and specification - Guilty.

To the 2d charge and specifications - Not Guilty.

FINDING-Of the specification, 1st charge-Guilty.

Of the 1st charge -Guilty.

Of the 1st specification, 2d charge—Guilty, except the words—"did rush at 1st Sergeant F. McCourt, Company II, 5th Cavalry," and the words—"by repeatedly striking at him."

Of the 2d specification, 2d charge-Guilty,

Of the 2d charge-Guilty.

SEXTENCE—To be confined at hard labor under charge of the guard at the post where his company may be se ving, for the period of three months, and to forfeit to the United States five dollars per month of his monthly pay for the same period.

In this case the 1st charge is shown by the specification to have been a violation of the 44th Article, and it should have been so drawn. With this exception, the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

2d. Private John O'Rearden, Company L, 5th Cavalry.

CHARGE-Violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined in the post guard house for sixty days at the post where his company may be serving, and to carry a log weighing twenty-five pounds every day for the first fifteen days of his confinement, between reveille and retreat, allowing one hour for each meal.

The proceedings, findings, and scattenee in this case are approved, but the sentence is modified so that the prisoner will not be required to curry the log on Sundays; and as mitigated will be duly executed.

HL., Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Orders No. 4', current series from these Headquarters, and of which Cap'ain Philip A. Owen, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private Edward Hamilton, Company F, 9th Infantry.

Charge 1—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Elecard Hamilton, Company P, 9th Infantry, did, on or about the 10th day of March, 1871, obtain permission to be absent from tattoo roll call; falsely alleging as a reason for making the request that he wished to go to Surgeon Frantz, U. S. A.

This at Fort D. A. Russell, W. T., on or about the 16th day of March, 1871.

CHARGE 2-Absence without leave.

Charge 3-Forgery, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING - Guilty.

SENTENCE—To be dishonorably discharged from the service of the United States, and then to be confined in such penitentiary as the proper authority may direct for the period of two years.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The Iowa State Penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be sent in charge of a suitable guard, and turned over to the Warden of the Penitentiary with a copy of this order.

2d. Private Charles II. Webb, Company II, 9th Infantry.

CHARGE 1—Desertion, in violation of the 20th Article of War.
CHARGE 2—Theft, to the prejudice of good order and military

discipline.

Specification - [Sets forth that the prisoner stole and sold arms

and equipments, the property of the United States, valued at \$83.22, and appropriated the proceeds to his own use.]

CHARGE 3-Violation of the 22d Article of War.

PLEA-Guilty.

FINDING-Guilty.

SEXTRACE.—To forfeit to the United States all pay and allowances that are now due or that may become due him; to be branded on the left hip with the letter D; to be dishonorably discharged the service of the United States; and then to be confined at hard labor in such penitentiary as the proper authority may designate for a period of five years.

In this case the proceedings and findings are approved. The scattenee is approved, except the word "branded," for which the

words "in delibly marked" are substituted. The term of imprisonment is reduced to three years.

The Penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be sent in charge of a suitable guard, and turned over to the Warden of the Peniteniary with a copy of this order.

3d. Private Charles II. Webb, Company H, 9th Infantry. Private Frederick Avery, Company D, 5th Cavalry. Private William Lee, Company F, 5th Cavalry.

CHARGE-Conduct to the projudice of good order and military discipline.

Specification 1.—In that they, Private Charles II. Webb, Company H, 9th Infantry, Private Frederick Acey, Company D, 5th Cavalry, and Private William Lee, Company F, 5th Cavalry, prisoners in confinement in the post guard house at Fort D. A. Russell, W. T. did conspire to, and did knock down, and take a carbine from Private George W. Johanson, Company B, 5th Cavalry, and did thresten to shoot the said Private George W. Johanson, '(if he made any resistance,'' (they trying to make their escape), the said Private George W. Johanson, being at the time sentinel in charge of the said three prisoners.

All this at or near Fort D. A. Russell, W. T., on or about March 15th, 1871,

Specification 2—In that they, Private Charles II, Webb, Company H, 9th Infantry, Private Frederick Avery, Company D, 6th Cavalry, and Private William Lee, Company P, 5th Cavalry, prisoners in confinement in the post guard house at Fort D. A. Russell, W. T., did conspire to, and did by violence, make their escape from one Private George W. Johanson, Company B, 5th Cavalry, the sentinel in charge of the working party of which the prisoners were members, and did remain absent until re-arrested and brought back by a patrol sent for that purpose, they, in the meantime, having got away a distance of a mile and a half from the peak.

This at or near Fort D. A. Russell, W. T, on or about March 15th, 1871.

PLEA-To the 1st specification-Not Guilty.

To the 2d specification-Guilty,

To the charge-Guilty.

FINDING-Guilty, except the words-"did knock down."

SENTENCE-(Each) To be confined at hard labor in charge of the guard for the period of twelve calendar months, wearing a fourseen-pound iron weight attached to the left leg by a three-foot chain, and to forfeit twelve dollars per month of his monthly pay for the same period.

The proceedings, findings, and sentences in this case are approved and confirmed, and the sentences will be duly executed, except the sentence in the case of Private Webb, which, in view of the severe

sentence awarded him at his separate trial, is remitted, 4th. Private James Keeffe, Company C, 14th Infantry.

Charge-Violation of the 21st Article of War. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit ten dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. 5th, Private Charles S. Hunt, Company C, 14th Infantry.

CHARGE 1-Violation of the 44th Article of War.

CHARGE 2-Violation of the 21st Article of War.

PLEA-Guilty. FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Sergeant Arthur J. Judd, Company C, 14th Infantry. CHARGE 1-Neglect of duty.

CHARGE 2-Absence without leave.

CHARGE 3-Conduct to the prejudice of good order and military discipline.

Specification-In this that he, Sergeant Arthur J. Judd, Company C, 14th Infantry, Post Sergeant Major, having been ordered to remain in his quarters in arrest, and not to leave the same except to obey the calls of nature, did leave said quarters and visit the store of the post trader.

This at Depot Fort D. A. Russell, W. T., on the 23d day of March, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States six dollars of his monthly pay per month for five months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private James Smith, Company II, 9th Infantry.

CHARGE-Neglect of duty, to the prejudice of good order and military discipline.

Specification-In this, that Private James Smith, Company H, 9th Infantry, being a supernumary and on duty with the guard at Fort D. A. Russell, W. T., did allow one prisoner named Boyer, a halfbreed, to escape from his charge, between 4 and 5 p. m., on March 29th, 1871.

This at or near the guard house at Fort D. A. Russell, W. T., on or about the time and date above specified

PLEA - Not Guilty

FINDING-Not Guilty.

And the Court does therefore acquit him

The proceedings, findings, and acquittal in this case are approved and confirmed. Private Smith will be restored to duty.

IV ... The General Court Martial convened at Fort McPherson. Nebraska, pursuant to Paragraph 1, Special Orders No. 11, current series from these Headquarters, and of which Captain Edward II. Leib, 5th Cavalry, is President, and 1st Lieutenant Alfred B. Bache, 5th Cavalry, Judge Advocate, is hereby dissolved.

By COMMAND OF BRIGADIER GENERAL AUGUS:

GEO, D RUGGLES.

Assistant Mintant General.

OFFICIAL :

Aide de Camn

G. C. M.

FORT D. A. RUSSELL.

- 1. Private William Beadley, Company D, 9th Infantry.
 2. Private William Lee, Jompany F, 5th Cavalry.
- 8. Private Charles U. Hall, Company F, 9th Infantry.
- Private Frederick Kagel, Company H, 9th Infantry.
 Private Thomas Taylor, Company C, 5th Cavalry.
- 6 Private James H. Marshall, Company D, 5th Cavalry.
- 7. Private Henry Simpson, Company D, 5th Cavalry.
- 8. Private Robert Ralston, Company D, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, April 7, 1871.

No. 27.

1...Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Orders No. 41, current series from these Headquarters, and of which Captain P. A. Osea, 9th Infantry, is President, and Captain Robert II. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private William Bradley, Company D, 9th Infantry.

CHARGE—Desertion.

FINDING-Guilty.

SENTENCE—TO forfelt to the United States all pay and allowances that are or may become due, to be indelibly marked on the left hip with the letter D, and be dishonorably discharged the service of the United States, and to be confined in such ponientiary as the proper authority may designate for the period of two years.

In this case the proceedings and findings are approved. That portion of the sentence which awards pentientiary imprisonment for the purely military erime of desertion, is disapproved, the Act of July 16, 1862, ch. 100, rendering such punishment illegal. The remainder of the sentence is approved and confirmed and will be duly exceuted. The prisoner will be dishonorably discharged on receipt of this order.

24. Private William Lee, Company F, 5th Cavalry. Charge-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States all pay and allowances that are or may become due, to be indelibly marked on the left hip with the letter D, and dishonorably discharged the service of the United States, and to be confined in such penitentiary as the proper authority may designate for the period of two years.

The proceedings and findings in this case are approved. That portion of the sentence which awards pentientiary imprisonment for the purely military crime of desertion, is disapproved, the Act of July 16, 1862, ch. 190, rendering such punishment illegal. The remainder of the sentence is approved and confirmed, and will be duly executed. The prisoner will be dishonorably discharged on receipt of this order.

8d. Private Charles U. Hull, Company F, 9th Infantry.

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Of the specification, 1st charge-Guilty, except the words "and go to the railroad depot,"

Of the 1st charge—Not Guilty, but guilty of an attempt to desert the service of the United States, to the prejudice of good order and military discipline. Of the specification. 2d charge—Not Guilty.

Of the 2d charge-Not Guilty.

SENTENCE—To forfeit to the United States all pay and allowances that are now or may become due, to be dishonorably discharged the service of the United States, and to be confined at hard labor at such penitentiary as the proper authority may designate for the period of two years.

In this case the proceedings and findings are approved. That portion of the sentence which awards penitentiary imprisonment for the purely military crime of attempting to desert, is disapproved, the Act of July 16, 1864; ch. 180, rendering such punishment illegal. The remainder of the sentence is approved and confirmed, and will be duly executed. The prisoner will be dishonerably discharged on receipt of this order.

4th. Private Frederick Kagel, Company II, 9th Infantry.
CHARGE 1—Desertion, in violation of the 20th Article of War.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING -- Of the 1st charge and specification-Guilty.

Of the 2d charge and specification --- Not Guilty,

SEXTENCE—To forfeit to the United States all pay and allowly ances now due or that may become due him, to be marked indelibyly on the left hip with the letter D, to be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the proper authority may designate for the period of two years.

In this case the proceedings and findings are approved. That portion of the sentence which awards pentientiary inprisonment for the purely military crime of desertion, is disapproved, the Act of July 16, 1862, ch. 190, rendering such punishment illegal. The marking is remitted. The remainder of the sentence is approved and confirmed and will be duly executed. The prisoner will be dishonorably discharged on receipt of this order.

5th. Private Thomas Taylor, Company C, 5th Cavalry.

CHARGE 1—Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Of the 1st charge and specification-Guilty.

Of the 2d charge and specification-Not Guilty.

SENTENCE-To forfeit to the United States all pay and allow-

SEXTENCE—10 force to the United States at pay and another ances now due or that may become due him, to be brandfel on the left hip with the letter D, to be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the proper authority may designate for the period of two years.

In this case the proceedings and findings are approved. That portion of the sentence which awards penientiary imprisonment for the purely military crime of descrition, is disapproved, the Act of July 16, 1862, ch. 190, rendering such punishment illegal. The remainder of the sentence is approved, except the word "branded," for which the words "indeliby marked" are substituted, and as modified, will be duly executed. The prisoner will be dishonorably discharged on receipt of this order.

6th. Private James II. Marshall,, Company D, 5th Cavalry. Charge-Descriton.

PLEA-Guilty.

FINDING-Gnilty.

SENTENCE.—To forfeit to the United States all pay and allowances now due or that may become due him, to be indelibly marked on the left hip with the letter D, to be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the proper authority may designate for the period of two years.

The proceedings and findings in this case are approved. That portion of the sentence which awards penitentiary imprisonment for the purely military crime of desertion, is disapproved, the Act of July 16, 1862, ch. 190. rendering such punishment illegal. The marking is remitted. The remainder of the sentence will be duly executed. The prisoner will be dishonorably discharged on receipt of this order.

7th. Private Henry Simpson, Company P, 5th Cavalry. Charge-Descriton.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—TO forfeit to the United States all pay and allowances now due or that may become due him, to be indelibly marked on the left hip with the letter D, to be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the proper authority may designate for the period of two years.

In this case the proceedings and findings are approved. That portion of the sentence which awards pentientiary imprisonment for the purely military crime of descrition, is disapproved, the Act of July 16, 1862, do. 190, rendering such punishment illegal. The remainder of the sentence is approved and confirmed, and will be duly executed. The prisoner will be dishonorably discharged on receipt of this order,

8th. Private Robert Ralston, Company D, 5th Cavalry. Charge 1—Desertion.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

Specification-In this, that Private Robert Ralston, Company D, 5th Cavalry, did feloniously steal, take, and carry away from the

saloon of the Post Trader, at Fort D. A. Russell, W. T., one box containing twelve bottles of gin, the property of the said post trader, amounting in value to eighteen dollars, and was arrested with the aforesaid property in his possession.

This at Fort D. A. Russell, W. T., on or about the 13th of March, 1871.

CHARGE 3-Violation of the 38th Article of War.

Specification--Iu this, that Private Robert Ralston, Company D, 5th Cavalry, did steal and sell one Sharp's carbine, the properly of the United States, and for which Captain S. S. Sumner, 5th Cayalry, is responsible.

This at Fort D. A. Russell, W. T., on or about March 13th, 1871.

PLEA—To the 1st charge and specification—Not Guilty.

To the 2d charge and specification-Not Guilty.

To the 3d charge and specification-Guilty.

FINDING-Of the specification, 1st charge-Guilty.

Of the 1st charge-Guilty,

Of the specification, 2d charge—Guilty, except the words—"take and carry away;"—"eighteen dollars," substituting therefor "twelve dollars"—"and was arrested with the afore-mentioned property in his possession" and of the excepted words—Not Guilty.

Of the 2d charge-Guilty.

Of the specification, 3d charge-Guilty,

Of the 3d charge-Guilty.

SASTRACE—TO forfeit all pay and allowances that are now due or that may become due him; to be indelibly marked on the left hip with the letter D, to be dishonerably discharged the service of . he United States, and then to be confined in such penitentiary as the proper authority may designate for a period of five years.

The proceedings, findings, and sentence in this case are approved, but the term of imprisonment is mitigated to one year. As modified, the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be sent in charge of a suitable guard, and turned over to the Warden of the penitentiary with a copy of this order. H...The General Court Martial convened at Fort D. A. Russell, W. T., pursuant to Paragraph 4, Special Orders No. 18, current series from these Headquarters, and of which Colonel John B. King, 9th Infantry, is President, and Captain George B. Russell, 9th Infantry, Judge Advocate, is breeby dissolved.

111...The General Court Martial convened at Fort Rawlins, U. T., pursuant to Paragraph 2, Special Orders No. 7, carrent serior from these Headquarters, and of which Captain Nathan W. Osborne, 18th Infantry, is President, and 2d Lieutenant John B. Guthrie, 18th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant Signeral

OFFICIAL:

inne

G. C. M.

Camp Douglas.

7. Private William Ryan, Company C, 13th Infantry.
2. Private George Van Iderstine, Company E, 13th Infantry.

fantry.

Private Newton Swarenger, Company E, 13th Infantry.
 Private William Griffin, Company E, 13th Infantry.

✓4. Private William Gregor, Company E, 15th Infantry.
 ✓5. Private David Burry, Company E, 13th Infantry.
 ✓6. Private Henry Smith, Company E, 13th Infantry.

√7. Private Heavy Small, Company E, 13th Infantry.

FORT SEDGWICK.

1. Private John Mitchell, Company K, 14th Infantry.

2. Private John Michell, Company K, 14th Infantry.
Four Bridger.

1. Private Carl Schobel, Company G, 13th Infantry.

✓3. Private Frank Leroy, Company F, 13th Infantry.

✓4. Private Michael Burk, Company G, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, April 13th, 1871.

No. 28.

1. Before a General Court Martial which convened at Camp Dongles, U. T., pursuant to Paragraph 3, Special Orders No. 49, enricut series from these Headquarters, and of which Lieutenant Colonel Henry A. Morrow, 13th Infantry, is President, and Captain Alfred L. Hough, 13th Infantry, Judge Advocate, were arraigned and tried:

1st. Private William Ryan, Company C, 18th Infantry. Charge—Conduct to the prejudice of good order and

military discipline.

Specification 1—In this that he, Private William Ryon. Company C, 18th Infantry, did become intoxicated and lie in his bank during the retreat roll call of his company, and did absent himself from said roll call without authority for so doing.

All this at Camp Douglas, U. T., on the 3d day of March, 1871.

Specification 2—In this that he, Private William Ryan, Company C, 13th Infantry, when aroused from his bank and told he was to be confined, by 1st Sergeant Benjamia Shelton, Company C, 13th Infantry, he being then in the execution of his daty, did make use of the following language to 1st Sergeant Benjamia Shelton, Company C, 13th Infantry, "You and old Hough (thereby meaning Captain Hough, his Courpany Commander) are sons of b—s, Pilmake you sick of this."

All this at Camp Douglas, U. T., on the 3d day of March, 1871.

Specification 3—In this, that when he, Private William Ryan, Company C, 13th Infantry, was being taken the guard house in charge of 1st Sergeant Benjamin Sheldon, Company C, 13th Infantry, he being then in the execution of his duty, did say to 1st Sergeant Benjamin Sheldon, Company C, 13th Infantry,—"Yon son of a b—h, yon don't know your duty; I'll put a month on you"—repeating this several times.

All this at Camp Douglas, U. T., on the 3d day of March, 1871.

Specification 4—In this, that he Private William Ryon. Company C, 13th Infantry, while being a prisoner in charge of a sentinel, did seize by the throat and strike and abuse Private John Hedieg, Company C, 13th Infantry, and did call him a thief.

All this at Camp Donglas, U. T., on the 4th day of March, 1871.

Plea-To the 1st specification-Guilty.

To the 2d specification—Not Guilty.

To the 3d specification—Not Guilty.

To the 4th specification-Not Guilty.

To the charge-Not Guilty.

Finding--Guilty.

Sextence—To forfeit to the United States ten dollars of his monthly pay for three months, and to be confined at hard labor under charge of the guard for the same period.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private George Van Iderstine, Company E, 13th Infantry. CHARGE 1-Violation of the 44th Article of War.

CHARGE 2-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States five dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Newton Swarenger, Company E, 13th Infantry.

Charge 1--Violation of the 44th Article of War.

Charge 2-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

Sextence—To forfeit to the United States five dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private William Griffin, Company E, 13th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private William Grifflo, Company E, 13th Infantry, being regularly detailed for general fatigne and turned over to the Sergeant Major, did absent himself from his fatigue party without permission from proper authority.

This at Camp Douglas, U. T., on or about the 24th day of March, 1871.

Specification 2—In this that he, Private William Griffin, Company E, 13th Infantry, did absent himself from retreat and tatoo roll calls, on or about the 24th day of March, 1871, without permission from proper authority.

This at Camp Douglas, U. T., on or about the 24th day of March, 1871.

PLEA-Guilty.

Finding-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for fifteen days. The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private David Barry, Company E, 13th Infantry.

Charge—Desertion.
Plea—Not Guilty.

FINDING—Guilty.

SENTENCE—To forfeit all pay and allowances due or that may become due; to be confined at hard labor in charge of the gnard for six mouths; and at the expiration of that time to be dishonorably discharged from the service.

The proceedings, findings and sentence in this ease are approved and confirmed, and the sentence will be duly executed.

6th. Private Henry Smith, Company E, 13th Infantry. Charge—Desertion.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—To forfeit all pay and allowanees due or that may become due; to be confined at hard labor in charge of the guard for six months; and at the expiration of that time to be dishonorably discharged the service.

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private John Slyons, Company K, 13th Infantry.

Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the same period.

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II...Before a General Court Martial which convened at Fort Sedgwick, C. T., pursuant to Paragraph 1, Special Orders No. 52, current series from these Headquarters, and of which Lieutenant Colonel Thomas Duncan, 5th Cavalry, is President, and 1st Lieutenant George F. Price, 5th Cavalry, Judge Advocate, were arraigned and tried: 1st. Private John Mitchell, Company K, 14th Infantry.

Charge-Violation of the 46th Article of War.

PLEA-Guilty.

FINDING-Guilty.

Sentence—To be confined at hard labor in charge of the guard for three months, and to forfeit ten dollars per month of his monthly pay for the same period.

The Court is thus lenient on account of the accused being a reernit, and it being in the knowledge of several members of the Court that this is his first offense.

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

 Private John A. Perry, Company K, 14th Infantry. Charge—Violation of 45th Article of War.

Plea-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings and acquittal in this case are approved. Private Perry will be restored to duty.

III...Before a General Court Martial which convened at Dridger, W. T., pursuant to Paragraph 3, Special Orders No. 47, current series from these Headquarters, and of which Major Robert S. Lu Motte, 13th Infantry, is President, and Captain Charles II. Whittelsey, 13th Infantry, Judge Advocate, were arraigned and tried:

1st. Private Carl Schobel, Company G, 13th Infantry.

Charge 1—Violation of the 46th Article of War. Charge 2—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States all pay and allowances that are or may become due to him, to be dishonorably discharged the service of the United States, and to be confined at hard labor at such place as the Commanding General of the Department may direct, for the period of two years.

The proceedings and findings in this case are approved. In view of the voluntary return of the prisoner after an absence of one day, the sentence is regarded as too severe.

The dishonorable discharge is therefore remitted, and the term of confinement mitigated to four months at hard labor in charge of the guard, at the post where his company may be serving, with forfeiture of five dollars per month for the same term.

As modified, the sentence will be duly executed.

2d. Private George Chester, Company G. 13th Infantry. Спаксе—Descrition.

PLEA--Guilty. FINDING-Guilty.

Sentence-To forfeit to the United States all pay and allowances that are or may become due to him; to be dishonorably discharged from the service of the United States: and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of eighteen months.

The proceedings and findings in this case are approved. The prisoner having voluntarily returned after an absence of one day, the sentence is regarded as too severe. The dishonorable discharge is therefore remitted, and the term of confinement mitigated to four months at hard labor in charge of the guard, at the post where his company may be serving. The forfeiture will be five dollars per month for the same period. As modified, the sentence will be duly executed.

3d. Private Frank Leroy, Company F, 13th Infantry,

CHARGE 1-Desertion.

Charge 2-Conduct to the prejudice of good order and

military discipline.

Specification-In this that he, Private Frank Leron, Company F, 13th Infantry, at the time of his desertion, did take with him his rifle and acconfrements, for which Captain C. II. Whittelsey, commanding Company F, 13th Infantry, is responsible. This at Fort Bridger, W. T., on or about March 6th, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States all pay and allowances that are or may become due to him; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of eighteen months.

The proceedings, findings, and sentence in this case are approved, but the term of imprisonment is limited to one year. As modified, the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be sent, in charge of a suitable guard, and turned over to the Warden of the penitentiary with a copy of this order.

4th. Private Michael Burk, Company G, 13th Infantry.
Charge—Conduct to the prejudice of good order and

military discipline.

Specification 1—In this that he, Private Michael Bork, Company G. 13th Infantry, was so much under the influence of intoxicating liquor as to be unable to perform the duties of a soldier. This at Fort Bridger, W. T., or or about the afternoon of the 7th day of March, 1871.

Specification 2—In this that he, Private Michael Bork, Company G. 13th Infantry, after being confined in the post guard house, and while paraded with the other prisoners for inspection by the officer of the day, did use the following disrespectful language toward the said officer of the day, Captain E. W. Clift, 13th Infantry, to-wit: "I'll get square with you yet, you d—d son of a b—h," or words to that effect: and did, when ordered by the Corporal of the guard to stop talking, attempt to strike the said Corporal of the guard. This at Fort Bridger, W. T., at or about retreat roll call of the 7th day of March, 1871.

Specification 3—In this that he, Private Michael Burk, Company G, 13th Infantry, when put in the prison room, did tear down the iron bars set in the prison room door, at the the same time using the following disrespectful and threatening language towards the Corporal of the gnard, to-wit: "I'll kill you yet, you d—d son of a b—h," or words to that effect. This at Fort Bridger, W, T., on the 7th day of March, 1871.

PLEA-Not Guilty.

Finding-Guilty.

Sentence—To be dishonorably discharged the service of the United States, with the forfeiture of all pay and allowances that are or may become due him, and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of six months.

The proceedings, findings and sentence in this case are approved, but the term of confinement is reduced to four months. As modified, the sentence will be duly executed, at the post where the prisoner's company may be serving.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES, Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, April 25, 1871.

No. 29.

The Commanding officers of the infantry companies, selected to try the new experimental arms and accoutrements, recently received in this Department, are required to make monthly reports to the Chief of Orduance U. S. Army, on the blank forms to be furnished them by the Chief Orduance Officer of this Department, in regard to the comparative advantages for service of these arms and accoutrements. The new arms should be known and designated in all official communications, as

Remington Breech Loading Rifle Muskets, Experimental, Model 1870.

Sharps Breech Loading Rifle Muskets, Experimental, Model 1870.
Springfield Breech Loading Rifle Muskets, Experimental, Model 1870.
The arms now in the hands of these companies will be turned in

to the Omaha Ordnance Depot.

The Quartermaster's Department will furnish the necessary trans-

portation.

All Commanding officers who shall receive these experimental arms are earnestly enjoined to spare no pains in their examination and trial, in order to solve, upon a practical basis, the question of their comparative excellence and fitness for service. The information to be derived from this trial will be laid before a Board of Officers, to be appointed by the War Department for the selection of the best breech loading arm for the military service. For this reason, the importance of rendering full and accurate answers to the questions propounded in the blank forms, caunot be too strongly urged upon the attention of officers, whose duty it may be to render reports on this subject.

BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO, D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

FORT D. A. RUSSELL.

1/ Private John Burns, Company G. 9th Infantry.

2. Private Samuel McCollough, Company E, 5th Cavalry.

3 Private Richard E. McIntosh, Company K. 5th Cavalry.

FORT LARAMIE

- 1. Private Charles Gallagher, Company B, 14th Infantry.
 2. Private John Robinson, Company II, 14th Infantry.
 - 3 Private Paul Sheets, Company A, 5th Cavalry.
- 4 Private Ephraim Ellison, Company B. 14th Infantry.
- 5 Private Andrew J. Perry, Company B, 14th Infantry.
- 6. Private Winfield S. Parker, Company II, 14th Infantry.
- 7. Private John Murphy, Company B, 14th Infantry.
 8. Private Francis A. Biffar, Colupany A, 5th Cavalry.

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HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, April 27, 1871.

GENERAL ORDERS, }

1. Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 41, enrrent series from these Headquarters, and of which Captain Philip J. Oven, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigued and tried;

1st. Private John Burns, Company G, 9th Infantry.

CHARGE-Desertion.

PLEA-Not Guilty. FINDING-Guilty.

FINDING—GUNITY.

SENTENCE—To forfei: all pay and allowances that are now or may become due him, to be branded on the left hip with the letter

may become due him, to be branded on the left hip with the letter "D," to be dishinorably discharged the service of the United States, and then to be confined at hard labor, in such penitentiary as the proper authority may direct, for the period of two years.

The proceedings and findings in this case are approved. That portion of the sentence which awards penitentiary imprisonment for the purely military crime of desertion is disapproved, the act of July 16, 1862, ch. 199, rendering such punishment illegal. The remainder of the sentence is approved, except the word "branded" for which the words "indelibly marked" are substituted. As modified, the sentence will be duly executed. The prisoner will be dishonorably discharged on receipt of this order.

2d. Private Samuel McCollough. Company E, 5th Cavalry.

CHARGE 1--Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that he did call out, while paraded in charge of the guard at retreat roll call, to Sergeaut John Leabey, Company E. 5th Cavalry, while in the performance of his duty as Sergeant of the Guard, using words to the following effect, to wij: "You son a b—h." "You carly-headed son of a b—h."

This at Fort D. A. Russell, W. T., on or about the 6th day of April, 1871.

Specification 2—In this, that he did call out, while the officer of the guard. Ist Lieutenaut W. B. Pease, 9th Infautry, assisted by the Sergeant of the Gnard, was placing Private Richard E. Melatsh, Company K. 5th Caralry, in a cell: "I won't allow one man to be picked upon by half a dozen," or words to that effect, and did thereupon endeavor to resist the efforts of the before named officer and non-commissioned officer, they being in the dasharge of their respective duties, as Officer and Sergeant of the Gnard.

This at Fort D. A. Russell, W. T., on or about April 6th, 1871.

Specification 3—In this, that being ordered into close confinement by the officer of the Ganard, 1st Licentant Posse, with infinitry, he did forcibly resist the efforts of the Sergeant of the Gund. Sergeant John Endrey, to place him in a cell, asing words to the following effect, to-wit: "You are not man enough to put use in a cell;" nor did he enter therein until the arrival of the Officer of the Gund. Lieutentant Posse, whose efforts he also resisted.

This at Fort D. A. Russell, W. T., on or about April 6th, 1871.

Specification 4—In this, that he did endeavor, having been placed in close confinement by order of the Officer of the Guard, to escape from his cell by breaking open the door thereof.

This at Fort D. A. Russell, W. T., on or about April 6th, 1871.

PLEA-Not Guilty. FINDING-Guilty.

SEXTENCE—To be confined at hard labor in charge of the guard, with a twelve pound weight attached by a chain three feet long to the left leg, for a period of six months; and to forfeit to the United States ten dollars of his monthly pay for the same period. The proceedings, indiuncs, and sentence in this case are

approved.

It seems not improbable that the Sergeant exaggerates the violence of this pri-oner, as he is contradicted point blank in some details of his own conduct, by another witness for the prosecution.

The sentence is modified to read "four months," instead of "six months," and, as mitigated, will be duly executed.

3d. Private Richard E. McIatosh, Company K, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that he did call out, while paraded in charge of the guard at retreat roll call, to Sergeant John Leader,Company E, 5th Cavalry, while in the performance of his duty as Sergeant of the Guard, using the following words: "You son of a b—it," "You curly-leaded son of a b—it."

This at Fort D. A. Russell, W. T., on or about the 6th day of April, 1871.

Specification 2—In this, that he did call out to Private Stanard McCollough, a prisoner in the guard-house at Fort D. A. Russell, W. T., when Sergeant John Leahey, Sergeant of the Guard, was in the act of confining him in a cell by order of the Officer of the Guard, inciting him by using words to this effect, to-wit: "Hit the son of a b—h."

This at Fort D. A. Russell, W. T., on or about the 6th day of April, 1871.

Specification 3—In this that, being ordered to close confinement by the Officer of the Ganal. 1st Lieutenaut W. B. Peacs, wh Infantry, he did forcibly resist the efforts of the Sergeant of the Gnard, Sergeant John Leahey, and did not enter therein anult the arrival of the Officer of the Gnard, whose efforts he also resisted.

This at Fort D. A. Russell, W. T., on or about the 6th day of April, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st specification—Guilty; excepting the words "You carly-headed son of a b-h."

Of the 2d specification-Guilty.

Of the 3d specification-Guilty.

Of the charge-Guilty.

SENTENCE—To be conflued at hard labor in charge of the guard, with a twelve pound weight attached by a chain three feet long to the left leg, for a period of six months; and to forfeit to the United States tea dollars of his monthly pay for the same period.

The proceedings, findings and sentence in this case are approved, but the sentence is modified to read "four months," instead of "six months," and, as mitigated, will be duly executed.

H. Before a General Court Martial which convened at Fort Laranie, W. T., pursuant to Paragraph 2. Special Orders No.59, current series from these Headquarters, and of which Major botther W. Blunt. 14th Infantry, is President, and 2d Lientenant Adophus M. Greety, 5th Cavairy, Judge Advocate, were arraigned and tried:

1st. Private Charles Gallagher, Company B, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, whilst a member of the post guard, did enter the quarters of Company B. 14th Infantry, and, without just cause or provocation, quarrel with Private James Daly, Company B. 14th Infantry; and after having been repeatedly ordered by Sergeant John Haley, Company B. 14th Infantry; to cease his interference with the said Private Daly, did refuse to do so, and did throw a stove damper at strike with his fist, and kick the said Private Daly; and after having been separated and ordered to desist by Corporal Patrick Sheridan. Company B. 14th Infantry, did draw his bayonet and make a lange at, and did strike with the bayonet over the head of the said Daly, at the same time saying. "You old son of a b—h, I'll kill you," and die continue to assault the said Daly until overpowered and disarrated by Sergeant Willis W. Burd and Corporal Patrick Sheridan.

This at Fort D. A. Russell, W. T., on the 2d day of March, 1871. Specification 2—In this that he, whilst a member of the post guard, dld enter the quarters of Company B, 14th Infantry, and, without just cause or provocation, quarrel with Private James Daly; and upon being ordered by Sergeant Michael Fagan, Company B. 14th Infutry, to case interference with the said Private Daly, did use toward said Fagan threatening and abusive language, saying, "God d—n you, I can whip yon," or words to that effect.

This at Fort D. A. Russell, W. T., on the 2d day of March, 1871. PLEA—Guilty.

FINDING-Guilty.

SENTENCE—To be confined under charge of the guard at hard labor for the period of six months, and to forfeit to the United States, twelve dollars per month of his monthly pay for the same period.

The proceedings, findings and sentence in this case are approved, but the term of confinement is reduced to three months, As modified, the sentence will be duly executed.

2d. Private John Robinson, Company II, 14th Infantry.

Спаксе—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, having been detailed in his tour of fatigue, and ordered by Sergeant Charles M. Thomas. Company II, 14th Infantry to assist in clearing away the ruhs of the fire, did say, "1"Il not work to-day for no God d—n man."

This at Fort D. A. Russell, W. T., on or about February 7th, 1871.

Specification 2—In this that he, while being taken to the guard house, did say' to Sergeant *Charles M. Thomas*, "Sergeant *Canning* may kiss my —— * *, the son of a b—h," or words to that effect.

This at Fort D. A. Russell, W. T., on or about the 7th day of February, 1871.

PLEA-Guilty.

FINDING-Gnilty.

SENTENCE—To forfeit to the United States ten dollars of his monthly pay for the period of two months.

The proceedings, fludings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Paul Sheets, Company A, 5th Cavalry.

CHARGE—Conduct to the prejndice of good order and military discipline.

Specification 1—In this that he, Private Sheets, did write, or cause to be written, and sent direct to the Adjutant General U. S. Army, an official communication, in words and figures, as follows:—

FORT LARAMIE, W. T., January 10th, 1871.

Adjutant General U. S. Army, Washington, D. C.:

SIR: Your attention is re-peetfully called to a fraudulent disposal of arms and ammunition, for which the late Captain *Denney* was responsible, by 1st Sergeaut Thomas Ryan, Company A, 5th Cavalry.

This transaction took place during the months of August and September, 1883, and May, 1850. Over one thousand dollars worth of ordnanes stores sold by the said 1st Sergeant. Thousa Ryan, between ranches of Burke and McDonald, at Fort McPherson, Neb., and Big Horn Expedition. At Fort D. A. Russell, W. T., hr., lst Sergeant Thousas Byan, sold the members of A Company, ofth Cavalry, about eight revolvers, at least, at various prices from ten to twenty dollars each.

This had been reported in detail upon several occasions, and through the proper chunnels, but all attempts at bringing the matter to light was baffled by Captaiu R. P. Wilson, Company A, 5th Cavalry.

Sufficient evidence will be produced to substantiate the foregoing statement. Very respectfully, your obedient servant,

(Signed.) PAUL SHEETS,
Private, Company A, 5th Cavairy,

All this at Fort Laramie, W. T., on or about January 10th, 1871, Specification 2—In this that he did write, or cause to be written, to the Adjutant General U. S. Army, a letter concerning an alleged fraudulent disposal of certain public property, which

said letter did contain the following statement, to-wit: "This had been reported in detail upon several occasions, and through the proper channels, but all attempts at bringing the matter to light was baffled by Captrin R. P. Wilson, Company A, 5th Cavalry."

The aforesaid statement being false.

This at Fort Laramie, W. T., on or about January 10th, 1871. PLEA—To the 1st specification—Guilty.

To the 2d specification—Guilty; except the words "aforesaid statement being false,"

To the charge—Not guilty.

FINDING-Of the 1st specification-Guilty; but attach no criminality thereto.

Of the 2d specification—Guilty—except the words
"the aforesaid statement being false;" but
attach no criminality thereto; and of the words
excepted—Not guilty.

Of the charge-Not Guilty.

And the Court does therefore acquit him.

The proceedings in this case are approved; the findings and acquittal the Department Commander is constrained to disapprove.

Under the 1st specification; while there was, of course, no criminality, in a moral sense, in the prisoner's addressing his communication direct to the Adjutant General; there was, whatever his motive, a breach of military discipline for which he should have been convicted under the charge. Before addressing the War Department, the prisoner was bound to exhaust every intermediate means of calling attention to the alleged evils he describes, and this he did not do.

The finding under the 2d specification is far more serious, as by it the Court practically convict Captain Wilson of dishonorable conduct in "baffling" the enlisted men of his company in their endeavors to expose certain frauds committed by the 1st Sergeant, The Court too hastily accept the testimony of four privates, who swear that Sergeaut Ryan sold them pistols and was never punished for it, together with the statement of the prisoner that he "took it for granted Captain Wilson was to blame," as sufficient proof of the truth of the declaration in the prisoner's letter to the Adjutant General, that "all attempts at bringing the matter to light was baffled by Captain Wilson." In so holding, the Court strangely disregards Captain Wilson's own much more trustworthy testimony, to the effect that he carefully conducted one, and participated in another later investigation into these charges against Sergeant Ryan, and was convinced of their falsity; and they seem to omit to give due weight to the fact that if no further steps were taken, because of prisoner's accusation against Sergeant Ryan, the responsibility did not rest with Captain Wilson,

The Laputation cast by the Indings of the Coart upon the character of Captain Wilson is regarded as unwarranted by anything contained in the record of the prisoner's trial, and as injust to the reputation of that officer. The Department Commander believes himself positified in fully acquitting him.

That the Court should have acquitted the prisoner under the charge, after listening to his avowal that he accused Captain Witson to the Adjutant General because he "took it for granted that he was to blame." Is an occasion of some surprise to the reviewing anthority. The prisoner saw that, notwithstanding his accasations, Sergeant Rgaa was not punished; he took it for granted, therefore, that his Captain was to blame, and charged him with an act of gross dishoner. For an offense of this character, whatever his inducement may have been, he deserved, in the opinion of the reviewing authority, not acquittal, but punishment. He states himself, in his written defence, that in writing to the Adjutant General he "knew he was not doing exactly right."

Aside from the discredit thought to be thrown upon the defence by Captain Wilson's testimony, the fact is not to be passed over without notice, that while the pri-oner offers to bring before the Adjutant General substantial proof of the embezdement of over one thousand dollars worth of U. S. property by Sergeant Ryan, besides the sale of eight pistols at least, he produces at his trial but four witnesses who will swear that they bought pistols of Sergeant Ryan, while the former branch of the accusation he is content to ignore altogether.

The time which the prisoner has suffered to elapse between the alleged commission and his disclosure of these offences is considered as suggestive.

The reviewing authority disapproves the findings and acquittal on these, among other, grounds:

1st. That there is some reason to believe the charge against Sergeant Ryan to be willfully false.

2d. That from the testimony in the record, as well as from facts within the knowledge of the Department Commander, the implications against Captain Wilson's integrity are undeserved and unfounded.

3d. That the Court erred in acquitting the prisoner, even if, as they virtually declare, his motives were good.

The prisoner will be restored to duty.

4th Private Ephraim Ellison, Company B, 14th Infantry. CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To forfeit to the United States ten dollars per month of his monthly pay for six months, and to be confined at hard labor in elarge of the guard, at the post where his company may be serving, for the same period; and at the expiration of that thue to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th Private Andrew J. Perry, Company B, 14th Infantry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit ten dollars per month of his monthly pay, for six months, to the United States, and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the same period; and at the expiration of that time, to be dishonorably discharged the service of the United States.

The proceedings, and findings, in this case are approved. The sentence is approved, but the dishonorable discharge is remitted, As modified, the sentence will be duly excented,

6th. Private Winfield S. Parker, Company II, 14th Infantry. CHARGE-Conduct to the prejudice of good order and military discipline.

Specification-In this, that he having been regularly detailed and duly mounted as a member of the gnard at Fort Largenic, W. T., on or about the 12th of April, 1871, and having been duly posted as a sentinel on post No. 5, was found sitting down in rear of a haystack when visited by the Officer of the day at or about 4 A. M. April 13th, 1871.

This at Fort Laramie, W. T. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars per month of his monthly pay, for the period of three months.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented,

7th. Private John Murphy, Company B, 14th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline. . Specification 1-In this, that he did attempt to strike 1st Ser-

geant Joseph Lanning, Company H, 14th Infantry, while said Lanning was in the discharge of his duty.

This at Fort D. A. Russell, W. T., on or about the 7th day of February, 1871.

Specification 2-In this, that he did, without cause, strike 1st Sergeant Joseph Launing, Company H, 14th Infantry.

This at Fort D. A. Russell, W. T., on or about the 7th day of February, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty. Of the 2d specification - Not Guilty.

Of the charge-Guilty.

SENTENCE-To forfeit to the United States ten dollars of his monthly pay, for the period of three months,

The Court is thus lenient owing to the long confinement and previous good character of the prisoner.

Upon the recommendation of the Company and Post Commanders, an order was issued from these Headquarters, for the withdrawal of the charge against Private Murphy, which however did not reach the court until after the trial had ended. The same reasons which induced the order of withdrawal now influence the reviewing authority in his final action upon the case.

The proceedings, findings and sentence are approved, but the sentence is remitted.

Private Murphy, will be restored to duty.

Sth. Private Francis A. Biffar, Company A. 5th Cavalry.

CHARGE-Descrition.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-To forfeit to the United States ten dollars per month of his monthly pay, for six months; to be confined at hard labor in charge of the guard for the period of nine months; and at the expiration of that period to be dishonorably discharged the service of the United States.

The proceedings, findings, and sentence in this case are approved. In view of the past good character of the prisoner, the dishonorable discharge is remitted, and the term of confinement is reduced to six months. As modified, the sentence will be duly executed.

III...The General Court Martial convened at Fort D. A. Russell. W. T., pursuant to Paragraph 1, Special Orders No. 41, current series from these Headquarters, and of which Captain Philip A. Owen, 9th Infantry, is President, and Captain Robert H. Wontgomery, 5th Cavalry, Judge Advocate, is hereby dissolved.

IV...The General Court Martial convened at Camp Douglas, U. T., pursuant to Paragraph 3. Special Orders No. 49, current series from these Headquarters, and of which Lieutenant Colonel Henry A. Morrow, 13th Infantry, is President, and Captain Altred L. Hough, 13th Infantry, Judge Advocate, is hereby discolved.

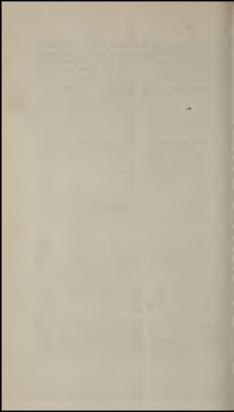
By Command of Brigadier General Algur:

GEO, D. RUGGLES,

Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.



G. C. M.

- √1. Private Richard Goodier, Company G, 14th Infantry.
- 5 /2. Private Frank W. Brown, Company F. 14th Infantry, /3. Private George Carroway, Company F, 14th Infantry,
 - ✓4. Private Edward Mulligan, Company D, 14th Infantry.
 - Private William McMullen, Company D, 14th Infantry.
 Private Arthur Donnelly, Company D, 14th Infantry.
 - Private Arthur Donnelly, Company D, 14th Infantry
 Private William White, Company D, 14th Infantry
 - /8. Private David McCarger, Company D, 14th Infantry.

HEADOUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, May 1st, 1871.

No. 31.

1. Before a General Court Martial which convened at Fort Fetterman, W. T., pursuant to Paragraph 3. Special Orders No. 39, enrrent series from these Headquarters, and of which Lieutenant Colonel George A. Woodwerd, 14th Infantry, is President, and Assistant Surgeon Francis Le B. Monroe, Medical Department, Judge Advocate, were arraigned and tried;

1st. Private Richard Goodier, Company G. 14th Infantry.

CHARGE-Desertion.

PLEA-Not Guilty.

FINDING-Not Guilty, but guilty of absence without leave,

SENTENCE-To forfeit to United States fifteen dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Frank W. Brown, Company F. 14th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

Specification—In this, that he did steal three shirts from Private Corl Solls, Company F, 14th Infantry, with the intention of appropriating the same to his own use. This while en route from Omaha Barracks, Nebraska, to Fort Fetterman, W. T., between the 9th and 21st days of March, 1871.

PLEA-Not Guilty. FINDING-Guilty.

SENTENCE—To forfeit all pay and allowances now due or whice may become due him, except the just dues of the laundress; an to be dishonorably discharged the service.

The only witness whose testimony in any degree justifies the conviction of this prisoner, is Private Saliz, who swears that of the company leaving Omaha Barracks, he packed three white shirts in a box which he locked, and which shirts he found mouth later in prisoner's knapsack at Fort Fetterman.

This is the only ground on which the conviction really rest, and this testimony is rendered less convincing by proof offers by the defence, that prisoner and Saliz bunked together, as very amicably, and that Saliz said, a day or two before haleged discovery of the shirts in prisoner's knapasch, that I would not have prisoner bunk with him any more, and meant get him lato a place where he should have a bunk to himself, is in evidence further that on Saliz accusing prisoner to the liesergant of having robbed him, the latter asked prisoner ho many white shirts he had, and on his replying "none," sent him it would seem, alone—to get his knapasck; which being brough was opened and in it the shirts in question were found. It is ueasy to believe that the prisoner would not, after so pointed question, have removed the shirts from his knapasck befor producing it for examination, if guilty of the alleged crime.

No evidence is brought to show that Salix's box presented mark of violence, or had been unlocked or opened by force in any waduring the movements of the detachment.

In view of the total absence of evidence to convert the prison of larceny, aside from the articles being found in his knapsach the fact that the prisoner supplied the proof which supported he conviction, without apparently any attempt at concealment suppression; that no one was present when Saliz discovered in knapsack accessible to all the property he claims to have los and lastly bearing in mind Saliz mysterious threats against, and dislike for, the prisoner; the reviewing authority hesitates confirm a sentence of which there seems so much reason to don't the justice.

The proceedings are approved. The findings and sentence a disapproved. The prisoner will be restored to duty.

Private George Carroway, Company F, 14th Infantry.

Charge—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this that he, being duly mounted as a member of the post guard, and having three prisoners under his charge, did allow two prisoners to escape.

This at or near Omaha Barraeks, Neb., March 7th, 1871.
PLEA—Guilty.

FINDING-Guilty.

FINDING—Gmity.

SENTENCE—To forfeit ten dollars of his monthly pay for one month.

The Court is thus leafent in view of the prisoner's inexperience in guard duty, and general good character as a soldier.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

4th. Private Edward Mulligan, Company D, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that he was so drunk as to be unable

to perform properly the duties of a soldier.

This at Cheyenne, W. T., on or about March 11th, 1871. Specification 2—In this, that he, when ordered into confinement by 1st Sergeant James Torphy, Company D, 14th Infantry, (Sergeant Torphy being in the execution of his office) did attempt for

cibly to resist said Sergeant.

This at Cheyenne, W. T., on or about March 11th, 1871.

PLEA-To the 1st specification-Guilty.

t

To the 2d specification-Not Guilty.

To the charge-Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification-Not Gnilty.

Of the charge—Guilty.

SENTENCE—To forfeit fifteen dollars of his mouthly pay for one month.

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "five dollars," instead of "fifteen dollars," and as mitigated, will be duly executed.

5th. Private William McMullen, Company D, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that he, on being spoken to by 1st Sergeant James Tarphy, for being so slow in getting into the ranks. did reply. "Kiss my * *, you half-breed son of a b—h."

This at Fort Fetterman, W. T , at or about the hour of undressparade, on the evening of March 25th, 1871.

Specification 2—In this, that he, on being ordered to the guard house by his 1st Sergeant, James Torphy, did reply: "Go to hell. God d—n you."

This at Fort Fetterman, W*T., at or about the hour of undressparade, on the evening of March 25th, 1871.

Specification 3—In this, that he, while being taken as a prisoner to the guard house, and when 'passing his company formed on the company parade ground, did make use of the following language, applying it to 1st Sergeant James Torphy, Company D; to-wit: "You son of a b—h."

This at Fort Fetterman, W. T., at or about the hour of undressparade, on the evening of March 25th, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for two months, and to forfelt fifteen dollars per mouth of his monthly pay for four months.

The proceedings, findings, and sentence in this case are approved, but the term of imprisonment is reduced to one month. As modified, the sentence will be duly executed.

6th. Private Arthur Donnelly, Company D, 14th Infantry.

Charge-Desertion.

PLEA-Not Guilty.

FINDING-Not guilty, but guilty of absence without leave.

SENTENCE—To forfeit fifteen dollars of his monthly pay for one month.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

7th. Private William White. Company D, 14th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification—In this, that he, Private William White, Company D. 14th Infantry, while in charge of a prisoner as a sentinel on gnard, did furnish him, the said prisoner, with intoxicating liquor.

This at camp of the command en route to Fort Fetterman, at or near Chugwater Creek, W. T., on or about the 15th of March. 1871.

CHARGE 2-Drunkenness on duty.

PLEA-Guilty.

FINDING -Guilty.

SENTENCE—To be confined at hard labor under charge of the guard for two months, and to forfeit fifteen dollars per month of his monthly pay for the same period.

The proceedings, findings and sentence in this case are approved and confirmed, and 'he sentence will be duly executed.

8th. Private David McCarger, Company D. 14th Infantry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that he did, without cause or provocation, point a loaded musket at Private James Coyle, Company D, 14th Infantry, threatening to shoot said Private Coyle.

This at Cheyenne, W. T., on or about March 11th. 1871.

Specification 2—In this, that he, when ordered into confinement by 1st Sergeant James Torphy (being in the execution of his office) did attempt forcibly to resist said Sergeant.

This at Cheyenne, W. T., on or about March 11th. 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—To be confined at hard labor in charge of the guard for one month, and to forfeit twelve dollars per month of his monthly pay for five months.

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly excented.

H...The General Court Martial convened at Fort Fetterman.
W. T., parsuant to Paragraph 3, Special Orders No. 59, enrrent series from these Headquarters, and of which Lieutenant Colonel

George A. Woodward, 14th Infantry, is President, and Assistant Surgeon Francis Le B. Monroe, Medical Department, Judge Advocate, is hereby dissolved.

By Command of Brigadier General Augur:

GEO. D. RUGGLES,

Assistant Admiant General.

OFFICIAL.

Aide-de-Camp,

SENTRACE—"To forficit to the United States all pay and allowances now due or to become due; to be confined at hard labor under charge of the guard at Omaha Barracks for the period of one year; and at the end of that time to be drammed out of the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private Francis Keely, Company G, 21st Infantry.
CHARGE—Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To refund to the United States thirty dollars, the amount paid for his delivery to this station; and to be confined at hard labor in charge of the guard for one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

H., Before a General Court Martial which convened at Fort Bridger, W. T., pursuant to Paragraph 3, Special Orders No. 47, enreut series from these Headquarters, and of which Major Robert S. La. Motte, 13th Infantry, is President, and Captain Chorles H. Whitelsey, 13th Infantry, Judge Advocate, were arraigned and tried;

1st. Private Frank Leroy. Company F. 13th Infantry.

CHARGE-Desertion.

PLEA—To the specification—Guilty except the words—"did desert from said service and"—and inserting in lien thereof the words—"did escape from the."

To the charge-Not Guilty.

FINDING-Guilty.

SENTEXCE.—"To forfeit to the United States all pay and allowances that are, or may become due him; to be indelibly marked with the letter D, two inches in length, on the left hip; and to be imprisoned in such prison as the Commanding General of the Department may direct, for the period of two years; at the expiration of the said term to be dishonorably discharged and drummed out of the service of the United States."

The proceedings, findings, and sentence in this case are approved. The term of imprisonment is reduced to six months at the post where the prisoner's company may be serving. The

approved and confirmed, and the sentence will be duly executed.

4th. Private James Brogan, Company A. 9th Infantry.

CHARGE-Desertion.

PLEA—To the specification—Guilty, except the words "did desert" and "apprehended."

To the charge—Not Guilty, but guilty of absence without leave.

FINDING—Of the specification—Guilty, except the words "did desert" and "apprehended,"

Of the charge—Not Guilty, but guilty of absence without leave.

SEXTENCE—"To refund to the United States thirty dollars, the cost of his delivery at Omaha Barracks; and to be confined at hard labor in charge of the guard for one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

5th. Saddler Sergeant Miles Riordan, 2d Cavalry,

Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be reduced to the ranks; to forfeit to the United States all pay and allowances now due or that may become due; to be confined at hard labor under charge of the guard at Omaha Barracks for the period of one year; and at the end of that time to be drummed out of the United States' service."

The proceedings, findings, and sentence in this case are approved.

In deference to the recommendation of the members of the Court, and in the belief, founded on the prisoner's past excellent character, that he sincerely repents the very grave offense he has committed, the sentence, with the exception of the reduction to the ranks, is remitted.

The prisoner will be restored to duty.

6th, Private George Hess, Company K, 9th Infantry,

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

lubor under charge of the guard at Omaha Barracks, Nebraska, for the period of one year; and at the expiration of that time to be drammed out of the United States' service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private *Philip Ryan*, Company M. 2d Cavalry, Charge—Descriton.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—" To forfeit to the United States all pay and allowances now due or that may become due; to be confined at hard labor under charge of the guard at Omaha Barracks for the period of one year; and at the end of that time to be drammed out of the United States' service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Millard Rogers, Company Λ , 9th Infantry.

CHARGE 1-Violation of the 45th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In that Private Millard Rogers, Company A.

9th Infantry, being duly posted as a sentinel over prisoners, did allow Private Swenk, Company A. 9th Infantry. (a prisoner), to obtain liquor and become exceedingly drunk.

This at Orvaha Barracks, Nebraska, on or about the 27th day of April, 1871.

PLEA—To the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty. FINDING—Of the specification 1st charge—Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge—Guilty, excepting the words "exceedingly drunk," and substituting the words "under the influence of the same."

Of the 2d charge-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for six months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are

G. C. M.

OMAHA BARRACKS.

- 1. Private Dennis O'Connell, Company M, 2d Cavalry.
- 2. Private Philip Ryan, Company M. 2d Cavalry.
- 3. Private Millard Rogers, Company A, 9th Infantry.
- 4. Private James Brogan, Company A, 9th Infantry.
- Saddler Sergeant Miles Riordan, 2d Cavalry.
- 6. Private George Hess, Company K. 9th Infantry.
- 7. Private Francis Keely, Company G, 21st Infantry.

FORT BRIDGER.

Private Frank Leroy, Company F, 13th Infantry.
 Private Michael Burk, Company G, 13th Infantry.

FORT FRED STEELE-

- 1. Private Edward Walsh, Company II, 13th Infantry.
- 2. Private John Grady, Company D. 13th Infantry.
- 3. Private John Downey, Company D, 13th Infantry.
- 4. Private James Smith, Company D, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, May 15th, 1871.

No. 32.

L. Before a General Court Martial which convened at Omaha Barracks, Nebraska, pursuant to Paragraph 3, Special Orders No. 72, current series from these Headquarters, and of which Colonel I. N. Polmer, 2d Cavalry, is President, and 2d Lieutenant John II. Conte. 9th Infantry, Judge Advocate, were arraigned and tried;

1st. Private Dennis O'Connell, Company M. 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or that may become due; to be confined at hard

dishonorable discharge is remitted because pronounced in a previous scatence. As modified, the sentence will be duly excented.

The enforcement of the present sentence, will take precedence of that published in General Orders No. 28, enrrent series from these Headquarters, and which will go into effect at the close of his confinement under this.

2d. Private Michael Burk, Company G, 13th Infantry, Charge 1—Desertion.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Michael Bork, Company G, 13th Infantry, while a prisoner in confinement awaiting sentence, did break away from the sentinel having him in charge and escape from confinement. This at Fort Bridger, W. T., on or about April 8th, 1871.

PLEA-To the 1st charge and specification-Not Guilty.

To the 2d charge and specification—Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances that are or may become due; to be indelibly marked with the letter D. two luches in length, on the left hip; and to be imprisoned in such prison as the Commanding General of the Department may direct, for the period of two years; at the expiration of the said time to be dishonorably discharged and drimmed out of the service of the United States."

The proceedings, findings and sentence in this case are approved. The term of imprisonment is reduced to six months, under charge of the guard at the post where his company may be serving. The dishonorable discharge is remitted, because included in a previous sentence. As modified, the sentence will be duly excented.

The sentence pronounced upon this prisoner at his recent trial under another charge, and published in General Orders No. 28, enrrent series from these Headquarters, will take effect on the expiration of his imprisonment under this.

III...Before a General Court Martial which convened at Fort Fred Steele, W. T., parsnant to Paragraph 4. Special Orders No. 72, current series from these Headquarters, and of which Lieutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and 1st Lieutenant William M. Waterbury, 13th Intantry, Judge Advocate, were arraigned and tried:

1st. Private Edward Walsh, Company II, 13th Infantry,

CHARGE--Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Gnilty.

SEXTEXCE—"To be confined under charge of the guard at hard labor for the period of three months,"

The proceedings, findings, and sentence in this case are ap-

proved and confirmed; and the sentence will be duly excented.

2d. Private John Grady, Company D, 13th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acoust him.

The proceedings in this case are approved. The findings and acquittal are disapproved. Private *Grady* will be restored to duty.

3d. Private John Downey, Company D, 13th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the gnard for one month; and to carry a log, weighing twenty-four pounds, two hours per day, for ten days of that period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed,

4th. Private James Smith, Company D, 13th Infantry.

Charge—Drinkenness, to the prejudice of good order and military discipline.

Specification—In that he did get drunk, thereby unfitting himself for any duty whatever, on or about the following dates, viz: February 24th, 1871, April 3d, 1871, and April 13th, 1871.

This at Fort Fred Steele, W. T.,

PLEA-Not Guilty.

FINDING-Of the specification-Guilty, except the first two dates.

Of the charge-Guilty.

SENTENCE—" To forfeit to the United States eight dollars of his monthly pay, per mouth, for two months; and to be confined at hard labor in charge of the guard where his company may be serving, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

IV...The General Court Martial convened at Fort Laramie W. T., pursuant to Paragraph 2, Special Orders No. 56, current series from these Headquarters, and of which Major Matthew M. Bhatt. 44th Infantry, is President, and 2d Lieutenant Adolphos 18, Greedy, 8th Cavalry, Judge Advocate, is hereby dissolved.

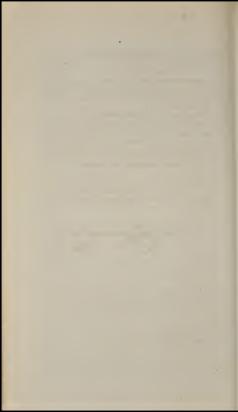
By Command of Brigadier General Augur:

H. G. LITCHFIELD.

Cantain 2d Artillery, A. D. C.

OFFICIAL.

Aid-de-Camp.



G. C. M.

FORT SEDGWICK.

1. Private Louis Silva, Company K, 14th Infantry.

FORT FRED. STEELE.

- 1. Private George Lewis, Company H, 13th Infantry.
- Private James Stevens, Company H, 13th Infantry.
 Private Edward Murray, Company D, 13th Infantry.
 - Private Edward Murray, Company D, 13th Infantry.

 Private Michael Riley. Company D, 13th Infantry.
- 3. Private Michael McNamara, Company D, 13th Infantry.
 Private Andrew Tuomey, Company D, 13th Infantry.

OMAHA BARRACKS.

- 1. Private John Scott, Company A, 9th Infantry.
- Private Daniel Carr. Company A, 9th Infantry.
 Private Andrew Wager, Company K, 9th Infantry.
- Private Anarew wager, Company K, 9th Infantry.
 Private James Henderson, Company M, 2d Cavalry.
- Private James Henderson, Company M, 2d Caval
 Private Hugh Devlin, Company K, 9th Infantry.

FORT BRIDGER.

- 1. Corporal William Hauel, Company G, 13th Infantry.
 - 2. Private William Ryan. Company G. 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, May 24th, 1871.

GENERAL ORDERS, Xo. 33.

I. Before a General Court Martial which convened at Fort Sedgwick, C. T., pursuant to Paragraph I, Special Orders No. 52, current series from these Headquarters, and of which Lieutemant Colonel Thomas Dilucan, 5th Cavalry, is President, and 1st Lieutemant George F. Price, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Louis Silva, Company K. 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty. FINDING-Guilty. SENTENCE—"To forfeit all pay and allowances that are or may become due; to be indelibly marked on the left hip with the letter "D," one and one-half inches in length; to be dishonorably discharged the service of the United States; and confined at the Dry Tortugas for the period of two years.

The proceedings, findings, and sentence in this case are approved.

The record of the proceedings of the Court in this case was forwarded to the War Department for such action as should be deemed necessary with regard to the place of confinement designated in the sentence; and was returned, endorsed as follows by the Adjustant General of the Army:

"The Secretary of War does not approve the designation of Dry Tortugas as the place of confinement, but desires that a point within General Angur's command be selected instead."

In obedience to the instructions of the Secretary of War, as conveyed in the foregoing endorsement of the Arily, that General of the Army, the Department Commander so far mitigates the sentence in this case as to substitute for the Dry Tortugas the post where the prisoner's company may be serving as the place of confinement.

As modified, the sentence will be duly excented.

H. Before a General Conrt Martial which convened at Fort Fred. Steele. W. T., pursuant to Paragraph 4, Special Orders No. 72, current series from these Headquarters, and of which Lientenant Colonel Albert G. Brackett, 2d Cavalry, is President, and 1st Lleutenant William M. Waterbury, 13th Infantry, Judge Advocate, were arraigned and tried;

1st. Private George Lewis, Company II, 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard at the post where his company may be serving for the period of three months; at the expiration of that time to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private James Stevens, Company H, 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-". To be confined at hard labor under charge of the guard at the post where his company may be serving, for the period of three months; at the expiration of which time to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Privates Edward Murray, Michael Riley, Michael McNamara and Andrew Tuomey, all of Company D, 13th Infantry.

CHARGE-Robbery, in violation of the 99th Article of War. PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit them.

The proceedings, findings and acquittals in this case are approved. The prisoners will be restored to duty.

III., Before a General Court Martial which convened at Omaha Barracks, Neb., pursuant to Paragraph 3, Special Orders No. 72, current series from these Headquarters, and of which Colonel I. N. Palmer, 2d Cavalry, is President, and 2d Lientenant John H. Coale, 9th Infantry, Judge Advocate, were arraigned and tried:

1st. Private John Scott, Company A, 9th Infantry.

CHARGE 1-Violation of the 45th Article of War, to the prejudice of good order and military discipline.

CHARGE 2-Violation of the 21st Article of War. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To forfeit to the United States ten dollars per month of his monthly pay for two months; and to be confined at hard labor in charge of the guard for seven days." In this case the first charge is irregular in form,

ter clause may be regarded as surplusage. The proceedings, findings, and sentence are approved and

confirmed, and the sentence will be dnly executed.

2d. Private Daniel Carr, Company A. 9th Infantry,

CHARGE-Drunkenness on duty.

PLEA-Guilty.
FINDING-Guilty.

SENTENCE—"To be confined in charge of the gnard fifteen days, carrying a log weighing twenty-five pounds each day from reveille to retreat, allowing one-half hour for each meal."

The proceedings, findings, and sentence in this case are approved. The sentence is so modified that the prisoner will not be required to carry the log on Sundays, and as mitigated will be duly excented.

3d. Private Andrew Wager, Company K, 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In that Private Autree Wager, Company K, the Infantry, being a member of the post grard, and at the time in charge of prisoners, was found so much under the influence of intoxicating liquor as to be unable to perform his duty in a soldierly and efficient manner.

This at Omaha Barracks, Neb., on the 15th day of May, 1871, CHARGE 2-Neglect of duty.

Specification—In that being a member of the post guard, and in charge of prisoners, he did permit one of the prisoners, viz: Private George Coombs, Company K, 2d Cavalry, in his charges to go out of his sight, by allowing him to climb over a high board fence.

This at Omaha Barracks, Nebraska, on or about the 15th day of May, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for ten days, and to forfeit to the United States ten dollars per month of his monthly pay for two months."

In this case the proceedings under the first charge are disapproved, as the specification alleges facts which should have been laid under the 45th Article of War only; the prisoner's offence being shown in the pleadings to have been drunkenness on duty. A soldier is not only drunk when altogether musble to perform his duty. He should be arraigned under the 45th Article, when unfitted by liquor to perform his duty in a soldierly and efficient manner, or shows, while on duty, that his intellect is off its usual balance to an extent detrimental to the interests of the Government to which he owes faithful and sober service.

The extent of his drunkenness should of course govern the court in determining the severity of the sentence.

The proceedings, findings, and sentence under the 2d charge are approved. The confinement is remitted in view of the practical disappearance of the 1st charge through the action of the reviewing authority made necessary by this error in the pleadings.

The prisoner will be released from confinement.

4th. Private James Henderson, Company M, 2d Cavalry.

CHARGE—Desertion. PLEA—Guilty.

FINDING-Guilty.

SENTERCE—"To forfeit to the United States ten dollars per month of his monthly pay for twelve months; to be confined under charge of the post guard at hard labor for the same period; and at the expiration of that time to be dishonorably discharged the service of the United States."

The Department Commander is disposed to treat with lently a deserter whose voluntary return justifies the belief that he regrets his criminal violation of duty. The sentence in this case is therefore mitigated in the following particulars. The forfeiture is reduced to five dollars per mouth for twelve mouths; the confinement will be for three, instead of twelve mouths, and the dishonorable discharge is remitted.

As modified, the senteuce will be duly executed.

5th. Private Hugh Devlin, Company K, 9th Infantry.

CHARGE 1-Drunkenness on duty.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In that Private Hugh Declin, Company K, 9th Infantry, being duly detailed to drive the post ambinance did drive in a reckless manner, and when cautioned by Lieucenant A. H. Codle, 9th Infantry, to drive more carefully, did make use of the following disrespectful and Insubordinate language to Lieutenant Coale—"I am driving this ambulance, and if you want to drive it I will get out,"—or words to that effect.

This on the road between Omaha and Omaha Barracks, Neb., on or about May 13th, 1871.

CHARGE 3-Disobedience of orders.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined in charge of the guard at hard labor for two months, and to forfeit to the United States ten dollars per month of his monthly pay for four months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

IV.-Before a General Court Martial which convened at Fort Bridger, W. T., pursuant to paragraph 3, Special Orders No. 47. current series from these Headquarters, and of which Major Robert S. La Motte, 13th Infantry, is President, and Captain Charles H. Whittelsey, 13th Infantry, Judge Advocate, were arraigned and tried:

1st. Corporal William Hauel, Company G, 13th Infantry.

CHARGE 1-Drunkenness on duty.

CHARGE 2-Disobedience of orders.

CHARGE 3-Conduct to the prejudice of good order and military discipline.

The record in this case is supposed to have been lost from the mail. The reviewing authority having received official telegraphic information of the acquittal of the prisoner, he will be restored to duty.

2d. Private William Ryan, Company G, 13th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

The record in this case also is believed to have been lost from the mail. The reviewing authority having received official information of the acquittal of the prisoner, he will be restored to duty.

V. The General Court Martial convened at Fort Sedgwick, C. T., pursuant to Paragraph 1, Special Orders No. 52, current series from these Headquarters, and of which Lieutenaut Colonel Thomas Duncan, 5th Cavalry, is President, and 1st Lientenant George F. Price, 5th Cavalry, Judge Advocate, is hereby dissolved.

VI.-The General Court Martial convened at Fort Bridger, W. T., pursuant to Paragraph 3, Special Orders No. 47, current series from these Headquarters, and of which Major Robert S. La Motte, 13th Infantry, is President, and Captain Charles H. Whittelsey, 13th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General,

OFFICIAL.

Aide-de-Camn



G. C. M.

OMAHA BARRACKS.

- 1. Private Frederick Hoffman, Company K. 9th Infantry.
- 2. Private Benedict Sweigel, Company A, 9th Infantry.
- 3. Sergeant Feter Grover, Company B. 2d Cavalry.
- Private John Fitzgibbons, Company A, 9th Infantry.
 Private John W. Sterling, Company A, 9th Infantry.

FORT D. A. RUSSELL.

- Private Hugh Grant, Company C, 14th Infantry.
 Private Andrew Madden, Company C, 14th Infantry.
- 3. Sergeant Joseph Bradley, Company K, 5th Cavalry.
- 4. Private Patrick Colopy, Company G. 9th Intantry.
- 5. Private Bernard McGram, Company B. 9th Infantry.
- Private James E. Quinn, Company E, 5th Cavalry.
 Private Owen Corcoran, Company B, 5th Cavalry.
 - ___

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, May 29th, 1871.

GENERAL ORDERS, No. 34,

1. Before a General Court Martial which convened at Omaha Barracks, Neb., pursuant to Paragraph 3, Special Orders No. 72. current series from these Headquarters, and or which Colonel L. N. Palmer, 2d Cavalry, is President, and 2d Lientenant John H. Coale, 6th Inflattry, Judge Advocate, were arraigned and tried: https://doi.org/10.1006/j.jphich.2007.000.000.

1st. Private Frederick Hoffman, Company K 9th Infantry, Charge—Conduct to the prejudice of good order and military

discipline.

Specification—In this, that being duly detailed and mounted as a sentinel in charge of prisoners, he did allow Private Millard Rogers, Company A, 9th Infantry, and Private Russell, Company

This at Omaha Barracks, Neb., on the 12th day of May, 1871. PLEA—Not Guilty.

C. 2d Cavalry, prisoners under his charge, to get drunk.

FINDING-Of the specification-Guilty, excepting the words

"did allow" and "to get," and substituting for the same "did find" and "did fail to bring them in and report the fact when so found."

Of the charge-Guilty.

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for one month, and to be confined under charge of the post guard for ten days."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2. Private Benedict Siceigel, Company A, 9th Infantry.

CHARGE I -Neglect of duty.

Specification—In this, that being a member of the postguard and in charge of prisoners, he did permit Private McMahon, Company E, 2d Cavalry, a prisoner, to become drunk.

This at Omaha Barraeks, Neb., on or about the 15th of May 1871.

Charge 2-Conduct to the prejudice of good order and military discipline.

Specification—In this, that being a member of the post guard and having received orders from the Sergeant of the guard not to permit prisoners under his charge to obtain intoxicating liquor, he did notwithstanding permit Private McMahon, Company E, 2d Cavalry, a prisoner at the time under his charge, to become drunk.

This at Omaha Barracks, Neb., on or about the 15th day of May, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings and acquittal in this case are approved. Private Sweigel will be restored to duty.

3d. Sergeant Peter Grover, Company B, 2d Cavalry.

CHARGE 1-Desertion.

CHARGE 2-Theft.

CHARGE 3- Violation of the 38th Article of War.

PLEATO the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty,
To the 3d charge and specification—Not Guilty.

FINDING—Of the specification 1st charge—Guilty.

Of the 1st charge-Gnilty.

Of the specification 2d charge—Guilty, except the words "one Colt's revolver," "one carbine," "and numerous other articles, in all exceeding it, value one hundred and fifty dollars,"

Of the 2d charge-Guilty.

Of the specification 3d charge—Guilty, except the words "one Colt's revolver," "one carbine," "and numerous other articles exceeding in value one hundred and fif y dollars." Of the 3d charge—Guilty.

SENTENCE—"To be reduced to the ranks; to be dishonorably discharged the service of the United States, forfeiting to the United States all pay and allowances now due or to become due (excepting the just dues of the laundress); and to be confined at hard labor its such penitentiary as the Commanding General of the Department may designate for the period of three years."

There is much testimony in this case which is irrelevant, and much which is inadmissable. The conversation of the witnesses with third parties not in the presence of the prisoner, should not have been elicited by the Judge Advocate; and their opinions as to the fate of the horse after their denial of any knowledge on the subject, were equally objectionable.

There is enough in the record however aside from this, to warrant a belief in the prisoner's having sold his horse,

He is shown to have had it at Bryan, to have off-red it for sale on the ground of want of money to desert with, to have got rid of it in some mexplained way, and to have immediately deserted. The irresistible inference is that he parted for money, with the animal which he is shown to have offered for sale the same morning.

The proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order. 4th. Private John Fitzgibbons, Company A, 9th Infantry.

CHARGE 1-Violation of the 41th Article of War.

CHARGE 2-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for two months,"

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private John W. Sterling, Company A, 9th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private John W. Sterling, Company A, 9th Infantry, was drank and disorderly in his quarters, and did refuse to go to the guard house when ordered to do so by 1st Sergeant John W. Young, Company A, 9th Infantry.

This at Omaha Barracks, Nebraska, on or about the 16th day of May, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for a period of two months, and to forfelt to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II., Before a General Court Martial which convened at Fort D. A. Russell, W. T., parsmant to Paragraph 1, Special Orders No. 83, current series from these Headquarters, and of which Major Eugene W. Crittenden, 5th Cavalry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Hugh Grant, Company C, 14th Infantry.

CHARGE-Violation of the 21st Article of War.

PLEA-Gnilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States tive dollars of his monthly pay for one month."

The proceedings, findings, and sentence in this case are

approved and confirmed, and the sentence will be duly excented.

2d. Private Andrew Madden, Company C, 14th Infantry.

Charge-Drunkenness on duty.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be contined at hard labor under charge of the guard for the period of three calendar months."

The proceedings, findings, and sentence in this case are approved, but in view of the time which the prisoner has passed in confinement awalting trial, the term of imprisonment is reduced to one mouth. As modified, the sentence will be duly executed.

3d. Sergeant Joseph Bradley, Company K, 5th Cavalry,

CHARGE—Neglect of daty, to the prejudice of good order and military discipline.

Specification—In this, that Sergeaut Joseph Bradley, Company K, 5th Cavalry, duly detailed from Fort D. A. Russell, W. March 28th, 1871, for the purpose of bringing Jacos Starr, Lat-1st Sergeaut of Company G, 5th Cavalry, a deserter from the Army of the United States, from Jefferson City, Mo., to Fort D. A. Russell, W. T., did negligaethy permit the said Jacos Starr to make his escape at or near St. Lonis, Mo., on or about April 12th, 1871. All this at the places and on the dates above specified.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be reduced to the ranks, and to be confined at the post where his company may be serving, for the period of six months, forfeiting to the United States ten dollars of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved. In view of the recommendation of the members of the Court, which is bused on the long service and excellent character of the prisoner, the sentence is remitted, with the exception of the clause ordering his reduction to the ranks. The prisoner will be restored to duty as a private soldier.

4th, Private Patrick Colopy, Company G, 9th Infantry.

Charge—Drankenaess on duty, in violation of the $45 \mathrm{th}$ Article of War.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving for a period of six months,"

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "three months" instead of "six months," and as mitigated will be duly excented.

5th. Private Bernard McGram, Company B, 9th Infantry.

Charge—Drankenness on duty, in violation of the 45th Article of War.

Plea-Not Guilty.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving for a period of six months."

The proceedings, findings, and sentence in this case are approved.

Of the two witnesses for the prosention one testifies that the prisoner was not mixable to perform his duty properly as a soldler, the other, not very positively, that he thought he was unable. There can be no doubt that he was under the influence of liquor, but he could scarcely have been much so. The sentence is modified to read "two m units" instead of "six months," and as mitigated will be duly excented.

6th. Private James E. Quinn, Company E, 5th Cavalry.

Charge—Quitting guard, in violation of the 50th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—"To be confined at hard labor in charge of the guard for five months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved.

In view of the excellent character given the prisoner by his company commander, the sentence is mitigated to read as follows:

To be confined at hard labor in charge of the guard for three menths, and forfeit to the United States eight dollars per month of his pay for the same period. As modified the sentence will be duly executed.

7th, Private Owen Corcoran, Company B, 5th Cavalry,

CHARGE 1-Desertion.

CHARGE 2-Violation of the 38th Article of War.

PLEA-Not Gnilty.

FINDING-Gnilty.

SENTEXCE.—"To forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the laundress; to be indelibly marked on the left hip with the letter D one and one-half inches long; and then to have his head shaved and be drammed ont of the service."

In this case the proceedings and findings under the first charge are approved. The findings under the second charge are disapproved on the ground of of insufficiency of proof.

In view of the prisoner's voluntary surrender the sentence is modified to read as follows;

To forfeit all pay and allowances due or to become due, except the just dues of the laundress, and except the sum of afteen dollars, and to be distributed discharged the service.

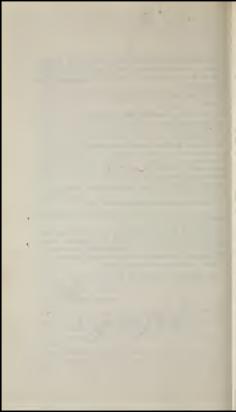
The shaving of the head and the marking are remitted. As mitigated, the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO, D. RUGGLES,
Assistant Adjutant General.

FFICIAL.

Aide-de-Camp.



HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, June 9, 1871.

GENERAL ORDERS, ? No. 35.

The following circular from the Paymaster General's Officeis published for the information of all concerned :--

PAYMASTER GENERAL'S OFFICE

Washington, May 10, 1871.

CIRCULAR) No. 78,

The attention of officers of the Pay Department is directed to the fact that the provisions of section first, of the Act of June 20, 1864, (continued by successive enactments of Congress) expire, by limitation of law, with the present fiscal year, June 30, 1871.

After that date the following are the monthly rates of pay legally

allowable to enlisted men of the Army, viz:			
Grade.	Service.	Pay.	
Sergeant Major Quartermaster Sergeant Quartermaster Sergeant Chief Musician Chief Trumpeter Principal Musician	Engineers. Cavalry, Artillery and Infantry Engineers. Cavalry, Artillery and Infantry Cavalry, Artillery and Infantry Cavalry. Artillery and Infantry. Cavalry.	\$36 00 21 00 36 00 21 00 60 00 21 00 21 00 21 00	
Veterinary Surgeon First Sergeant Co. Qr. Mr. Sergeant Sergeant	Cavalry *	100 00 75 00 20 00 17 00 34 00 17 00 20 00	
Corporal Corporal Saddler Artificer Blacksmith and Farrier Wagoner Trumpeter	Engineers and Orininical Cavalry, and Light Artillery Artillery and Infantry. Cavalry. Cavalry. Cavalry. Cavalry. Cavalry. Eagineers, Artillery and Infantry Cavalry.	14 00 13 00 14 00 15 00 15 00 14 00 13 00 12 00	
Private, (first class)	Engineers and Ordnance Engineers and Ordnance	17 00 13 00	

^{*} Only one veterinary surgeon at seventy-five dollars per month is allowed to each of the six old cavalry regiments, but two are allowed to each of the four new cavalry regiments, one at one hundred dollars, and one at seventy-five dollars per month.

Private Cavalry, Artillery and Infantry	13	00
Hosp, Stew'd 1st class.	30	00
Hosp, Stew'd 2d class	22	00
Hosp, Stew'd 3d class	20	00
Hospital Matron	10	00
Ordnance Sergeants of Posts	22	00
Band Leader	75	00
Band Musician 1st class Do	34	
Band Musician 2d class Do	20	00
Rand Musician 2d slave Do	17	

(Signed) B. W. BRICE,

Paymaster General, U. S. A.

By Command of Brigadier General Augur:

OFFICIAL:

delle

Assistant Adjutant General.

1000

G. C. M.

FORT FRED STEELE.

- 1. Private Michael McNamara, Private Michael Rilley. Private Andrew Tramey, Private Edward Marray,
- 2. Private James Harrey, Company A, 2d Cavalry,
 3. Private Thomas Mitchell, Company A, 2d Cavalry,

CAMP STAMBAUGH.

- Private John Griffith. Company E, 14th Infantry.
 FORT D. A. RUSSELL.
- 1. Private Theodore A. Krollman, Company I, 9th Infantry.
- 2. Sergeau'-Major James R. Redfield, 5th Cavalry.
- 3. Sergeant Paul E. Layet, Company F, 9th Infantry.
- 4. Private Henry O. Driscoll, Company E, 5th Cavalry.
 5. Private Francis O. Beaucaire, Company G, 2d Cavalry.
- 6. Private Francis O. Beaucaire, Company G, 2d Caval
- 7. Private Christian Ahrens, Company D, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, June 10th, 1871.

GENERAL ORDERS. }

1... Before a General Court Martial which convened at Fort Fred. Steele, Wyoming Territory, pursuant to Paragraph 4, Special Orders No 72, current series from these Headquarters, and of which Lientenant-Colonel Albert G. Brackett, 2d Cavalry, is President, and 1st Lientenant William M. Waterbury, 13th Infantry, Judge Advocate, were arraigned and triel:—

1st. Privates Michael McNamara, Michael Riley, Andrew Tuomey, and Edward Murray, all of Company D, 13th Infantry. CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that they did fight with each other, and did use to one another the most abusive and vile language, after they had been ordered, by their commanding officer several

times to desist, thereby showing contempt for his commands, and disrespect for himself. This at Carbon, Wyoming Territory, on or about the 30th day of April, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor, under charge of the guard, for the period of three months, and each to forfelt to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentences in this case are approved and confirmed, and the sentence in each case will be duly executed.

2d. Private James Harvey, Company A, 2d Cavalry.

CHARGE-Disobedience of orders, in violation of the 9th Article of War.

Specification—In this, that Private James Harvey, Company A. 2d Cavalry, did enter the Post Trader's store in an intoxicated condition, and did create a disturbance; and when lawfully ordered out by 1st Lieutenant William M. Waterbury, 13th Inlautry, his superior officer, did refuse to obey, saying, "I will not 2o." or words to that effect.

This at Fort Fred Steel, W. T., on the 23d of May, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the space of fifteen days, and forfeit to the United States the sum of five dollars of his monthly pay for one month.

The Court is thus lenient on account of the conflicting evidence before it."

The opinion of the Court that the evidence in this case was conflicting, is not concurred in. The testimony for the defence was purely negative in character, the witnesses stating that they did not see certain acts of disobedience which are sworn to positively on the part of the prosecution, by an officer of high character who was present and quelled them. This state of proof would have warranted a much severer sentence.

would have warranted a much severer sentence.

The proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

3d. Private Thomas Mitchell, Company A, 2d Cavalry.

CHARGE—Insubordinate conduct, to the prejudice of good order and military discipline.

Specification—In this, that private Thomas Mitchell, Company A, 2d Cavalry, did enter the Post Trader's store in an intoxicated state, and use the following insubordinate and insolent language to Post Chaplain Z. Began. then and there present: "G—d d—n you; I never saw such a man." or words to that effect; and when ordered out of said store by 1st Lieutenaut W. M. Waterbury, 13th Infantry, his superior offleer, did obey with insubordinate delay and reluctance, and as Lieutenant Waterbury did pass him to get a guard, did kick at him.

This at Fort Fred Steele, W. T., on the 23d day of May, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor, under charge of the gnard, for the period of thirty days, and to forfeit to the United States ten dollars of his monthly pay for one month.

The Court is thus lenient on account of the extenuating circumstances."

In this case, the hatroduction by the prisoner of testimony upon the facts, after a plea of guilty, was altogether irregular, and should not have been permitted by the Court. His proper course was either to have plead not guilty, or to have stated whatever extenuating circumstances there may have been in his case, in his address to the Court in defence, and requested the Court to verify them. The evidence to general character offered by him, was legitimate, notwithstanding his plea. The sentence is thought to be by no means too severe, but the contrary; but in deference to the recommendation of the members of the Court, the term of confinement is retuned to twenty-five days.

As mitigated, the sentence will be duly executed.

H... Before a General Court Martial which convened at Camp stambaugh, W. T., pursannt to paragraph 2, Special Orders No. 78, enrrent series from these Headquarters, and of which Major James S. Brisbin, 2d Cavalry, is President, and 1st Lieuemant Heavy C. Pratt, 13th Infantry, Judge Advocate, were arraigned and tried;

1st. Private John Griffith, Company E, 14th Infantry. Charge 1—Desertion. CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING-Of the 1st Charge and Specification -Not Guilty; but guilty of absence without leave, and attach no eriminality thereto.

Of the 2nd Charge and Specification—Not Guilty. And the Court does therefore acoust him.

The proceedings, findings, and acquittal in this ease, are approved. Private Griffith will be restored to duty.

III. Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to paragraph 1, Spexial Orders No. 85, current series from these Headquarters, and of which Major Eugene W. Crittenden, 5th Cavalry, is President, and Captain Robert H Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Theodore A. Krollman, Company I, 9th Infantry.

CHARGE 1—Riotous and disorderly conduct to the prejudice of good order and military discipline.

CHARGE 2-Assault with a deadly weapon, to the prejudice of good order and military discipline,

PLEA-Not Guilty.

FINDING-Guilty. .

SENTENCE—"To forfelt to the United States ten dollars per month of his mouthly pay for the period of six months, and to be confined at hard labor in charge of the guard, for the period of six mouths."

The proceedings, fludings, and sentence, in this case, are approved.

Partly in view of the prisoner's past good character, and in part because of the probability that he was not without provocation for much of his violence on the evening in question, the sentence is mitigated to three months confinement and forfeiture.

Simply by abstinence from liquor, to which alone he seems to owe his present disgrace and degradation, it is still within the power of Private Krollman to regain the good character which he has lately so foolishly thrown away.

2d. Sergeant-Major James R. Redfield, 5th Cavalry.

CHARGE 1-Conduct to the preindice of good order and military discipline, in violation of the Act of Congress approved March 2, 1863.

Specification 1-In this, that James R. Redneld, Sergeant-Major 5th Cavalry, a duly enlisted soldier in the army of the United States, did wrongfully and knowingly sell and dispose of, and did connive at, aid, and abet in the wrongful sale and disposal of the following named subsistence stores: Four hundred and forty pounds of baeon, two hundred and forty-four pounds of brown sngar, the property of the United States, furnished and to be used for the military service of the United States; the proeeeds of which wrongful sile, amounting to eighty-two dollars and thirty cents, more or less, he did fraudulently misaproprriate and convert to his own use.

This at Fort D. A. Russell and Chevenne, W. T., about the 1st day of April, 1871.

Specification 2-In this, that Sergeant-Major James R. Redfield, 5th Cavalry, a duly enlisted soldier in the army of the United States, did, wrongfully and knowingly, sell and dispose of, and did connive at, ald, and abet in the wrongful sale and disposal of of the following named subsistence stores: One hundred and sixty-three pounds of coffee, two hundred and forty pounds of brown sugar, four hundred and sixty-four bounds of bacon, the property of the United States, furnished and used for the military service of the United States, the proceeds of which sale, amounting to one hundred and fifteen dollars and fifty-three cents, more or less, he did misappropriate and fraudulently convert to his own use.

This at Fort D. A. Russe'l and Cheyenne, W. T., on or about the 15th day of April, 1871.

CHARGE 2 -- Theft, in violation of the Act of Congress approved March 2, 1863. Specification-In this, that Sergeant-Major James R, Redfield, 5th Cavalry, a duly enlisted soldier in the army of the United

States, did feloniously take, steal, and carry away, and did connive at, aid, and abet in the felonious taking and earrying away of the following sub-istence stores, on or about the 1st of April, 1871: Four hundred and forty pounds of bacon; two hundred and forty-four pounds of brown sugar. And, on or about the 15th day of April, 1871, one hundred and sixty-three pounds of

coffee, two hundred and forty pounds of brown sugar, four hundred and sixty-four pounds of bacon, the property of the United States, furnished for the military service of the United States.

This at Fort D. A. Russell and Cheyenne, W. T., on or about the dates above specified.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit all pay and allowances due or that may become due him, except the just dues of the laundress; to be dishonorably discharged the United States' service; and then to be confined in such penitentiary as the Commandiag General may direct for the period of flive years."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed

The penitentiary at Fort Madison, lown, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the Warden of the Peniteitiary, with a copy of this order.

3d Sergeant Paul E. Layet, Company F, 9th Infantiv.

CHARGE 1-Drunkenness on duty.

CHARGE 2-Breaking arrest.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be reduced to the ranks, and then confined a hard labor in charge of the guard, for the period of six months."

The proceedings, findings, and sentence in this case are approved.

In view of the recommendation of the members of the Court, and the past good character of the prisoner, the sentence is remitted, with the exception of the reduction to the ranks.

It is hoped that Private Layet will show, by his future good conduct and steadiness, that his repentance for what has occurred is both sincere and lasting.

4th. Private Henry O. Driscoll. Company E, 5th Cavalry. CHARGE—Mayhem, in violation of the 99th Article of War.

PLEA-Not Guilty.

FINDING—Of the Specification—Guilty, except the words, "on purpose, and of his malice aforethought, feloniously did bite off," substituting therefor the words, "did bite off a portion of said ear."

Of the charge of Mayhem-Not Guilty, but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE-"To forfeit to the United States ten dollars of his monthly pay per month, for one month, and to be confined at hard labor in charge of the guard for thirty days,"

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed, 5th. Private Francis O. Beaucaire, Company G, 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit to the United States all pay due, or that may become due, except the just dues of the laundress; to be indelibly marked on the left hip with the letter D, one and onehalf inches long; to have his head shaved, and then to be dishonorably discharged the service of the United States, and bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. 6th. Private John Murphy, Company B, 9th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification 1-In that he, Private John Murphy, Company B. 9th Infantry, when ordered to the guard-house by Sergeant Michael McGee, of same company and regiment, did try to escape, and draw a razor and swear he would "cut the guts out of any d-d son of a b-h that should try to arrest him."

This at or near the barrack room of Company B, 9th Infantry, at Fort D. A. Russell, W. T., and on or about the 28th day of May, 1871.

Specification 2-In that he, Private John Murphy, Company B. 9th Infantry, did, while being taken to the guard-house by Corpot ral Nelson Hough, same company and regiment, call Sergean-McGee a "d-d, drunken son of a b-h."

This at Fort D. A. Russell, W. T., and on or about the 28th day of May, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit to the United States five dollars per month of his monthly pay for four months, and to be confined at hard labor in charge of the guard, for sixty days."

Specification—In this that he, Private Harry Bloodgood, Company I, 5th Cavalry, did feloniously take, steal, and carry away from the arm chest in the store-room of Company I, 5th Cavalry, four revolvers, more or less, the property of the United States, and for which Captain S. C. Kellogg, 5th Cavalry, was responsible. This at Fort McPherson, Neb., on or about and between the twelfth and twenty-fifth days of May, 1871.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Harry Bloodgood, Company I, 5th Cavalry, did milawfully and without authority offer for sale to Jonathan White, citizen, two revolvers, the property of the United States, and for which Captain S. C. Kellogg, 5th Cavalry, was responsible. This at Fort McPherson, Neb., on or about the 15th day of May, 1871.

PLEA-Not Gnilty.

FINDING-Not Guilty. And the Court does therefore a quit him.

In this case the findings and acquittal are approved. The proceedings are approved, with the exception that the record fails in one or two instances to show affirmatively, that the prisoner was offered and waived the right to cross-examine. Should the prisoner decline this right, the record should invariably so state. Private Bloodgood, will be released from confinement.

4th. Private William Heoner, Company G, 5th Cavalry.

CHARGE -Conduct to the prejudice of good order and military

discipline

Specification—In this that he, Private William Heoner, Company G. 5th Cavalry, having been ordered by 1st Sergeant Richard W. Goodman, Company G. 5th Cavalry, through Corporal Michael Maloney, of same company and regiment, to report at the Quartermaster's Department for fatigue, did refuse to obey, and did say to Corporal Maloney: "You tell Sergeant Goodman that I will not go on fatigue duty; I will go in the gnard house first," or words to that effect. All this at Fort McPherson, Neb., on or about the 27th day of June, 1871.

PLEA-Guilty.

FINDING-Guilty.

was offered an opportunity to cross-examine. A prisoner should invariably be asked if he desires to exercise this right, and should he answer in the negative the record should distinctly state the fact. In cases of conviction, the neglect of the Judge Advocate to record a prisoner's waiver of this privilege may result in the disapproval of the entire proceedings. The rule is imperative, and is not to be disregarded.

The evidence shows that the prisoner had daily access to the tool chest wherein the stolen money was concealed; that he joined the garrison with little or no money in his possession; then shortly after the alleged theft he was seen with a large sum, which he squandered recklessly in liquor; that he gave two contradictory accounts of the source from which the sudden supply came; and that he promised to replace the stolen money if the complainant would effect his release from confinement. These are facts, the suspicious character of which nothing offered he defence has any tendency to clear up. It is therefore not without great hesitation that the reviewing authority confirms the findings and acquittal. The prisoner will be released from confinement.

2d. Private Albert W. Johnson, Company I 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Albert W. Johnson. Company I, 5th Cavalry, did unlawfully offer for sale to Jonathan White, clitzen, three revolvers, the property of the United States, and for which Captain S. C. Kellogg. 5th Cavalry, was responsible. This at Fort MePherson, Neb., on or about the 2d day of of April, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty. And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. There appears to have been no foundation for the charge under which the prisoner was tried, and his arrest must have been ordered without a sufficient examination into the facts.

3d. Private Harry Bloodgood, Company I, 5 h Cavalry.

CHARGE 1-Theft, to the prejudice of good order and military discipline.

CHARGE 1—Conduct to the prejudice of good order and milpary discipline.

Specification—In this, that Private Charles F, Miller, Company I, 2d Cavalry, did commit a nuisance by urlnating in the immediate vicinity of the company quarters.

This at Fort Sanders, W. T., on or about the 18th day of May. 1871.

CHARGE 2-Disobedience of orders.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for three months, and to be confined at hard labor under charge of the guard, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

3d. Private Aichard Burke, Company H, 9th Infantry.

CHARGE-Sleeping on post.

PLEA-Guilty.

FINDING -- Guilty.

SENTENCE—"To be confined at hard labor for three months, and to forfeit twelve dollars per month of his monthly pay, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Thomas Waldren, Company H, 9th Infantry.

CHARGE 1-Violation of the 6th Article of War.

CHARGE 2-Violation of the 44th Article of War.

CHARGE 3—Conduct to the prejudice of good order and military discipline.

CHARGE 4-Absence without leave

Charge 5-Habitual Drunkenuess.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay now due, or that may become due, and to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

5th. Private William Wicks. Company II, 9th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States five dollars of his monthly pay for a period of one month."

The proceedings, and findings in this case are approved, and the sentence, although much too lenient, will be duly executed.

6th. Private Joseph Flannery, Company H, 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification I.—In this, that Private Joseph Flaunery, Company II, 9th Infantry, was so much under the influence of intoxicating liquor as to be unable to properly perform the duties of a soldier.

This at Fort Sanders, W. T., on the 18th day of May, 1871.

Specification 2—In this, that Private Joseph Flannery, Company, 9th Infantry, having promised his company commander, Captain A. S. Burt, 9th Infantry, commanding Company H, for the purpose of escaping punishment at the time, to abstain from drinking all intoxicating lignor for the period of three months, viz., from the 13th day of May, 1871, to the 13th day of August, 1871, did violate said promise by drin ing some intoxicating liquor.

This at Fort Sanders, W. T., on the 18th of May, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st Specification -Not Guilty.

Of the 2d Specification—Guilty.
Of the Charge—Not Guilty.

And the Court acquits the prisoner.

In this case the acquittal under the first specification is approved, there being no sufficient evidence that the prisoner was drunk at the time alleged.

The finding under the second specification is disapproved, the devience offered to sustain it being inadequate. Neither of the

witnesses who testify to the alleged promise, is able to swear positively to its terms, or that its terms were not those insisted upon by the prisoner in defence. It is left, too, wholly to inference, whether either of these witnesses was present when the alleged promise was made.

This testimony is clearly insufficient to support the allegation in the specification; and it is an occasion of surprise that, with Captain Bart, to whom the promise was given, present as a member of the Court, he was not placed in the witness stand to state the exact lauguage of the pledge in question.

The finding of guilty under this specification, whether justified in evidence or not, would however seem to have imperatively called for a similar finding under the charge; yet the Court acquits the prisoner. Still, the acquittal of the prisoner being thought to be, under the elementances, just, it is approved.

Private Flannery will be restored to duty.

7. Private Charles Cavanaugh, Company II, 9th Infantry.

CHARGE 1-Absence without leave, in violation of the 21st Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

. Specification—In this, that private Charles Cavanaugh, Company H, 9th Infantry, having promised his Company Commander, Captain A. S. Bart 9th Infantry, commanding Company H, for the purpose of escaping punishment at the time, to abstain from drinking all intoxicating liquous for the period of three months, viz: from the 13th day of Xay, 1871, to the 13th of August, 1871, did violate said promise by drinking some intoxicating liquous.

This at Fort Sanders, W. T., on or about the 19th day of May, 1871.

PLEA-To the Specification 1st Charge-Gnilty.

To the first Charge-Guilty.

To the Specification 2d Charge-Not Gullty.

To the 2d Charge-Not Guilty.

FINDING-Of the Specification 1st Charge-Guilty.

Of the 1st Charge-Guilty.

Of the Specification 2d Charge-Not Guilty.

Of the 2d Charge-Not Guilty.

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay, for a period of one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private David Sheridan, Company 11. 9th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

specification—In this, that Private David Sheridan, Company I. 9th Infantry, having obtained the endorsement of his company commander to checks or orders upon E. D. Lane, Post Trader at Fort Sanders, to the amount of thirty-eight dollars: which checks were necessary to his obtaining goods on credit from the said Trader, and which were in the following form:

FORT SANDERS, W, T., --- - , 1871.

I hereby anthorize the commanding officer of my Company, H.
9th Infantry, to collect from my first payment, and pay to E. D.
Lane. Post Trader, the sum of ——— for value received.

Approved: (Signed.) DAVID SHERIDAN.

(Signed,) A. S. Burt,

Capt. 9th Inf., Comd'g H Comp'y.

And which were approved and endorsed by his company commander, on the understanding and implied agreement that said Sheridan would faithfully pay to said Post Trader, the amount mentioned therein, on the next pay-day following the date of said checks respectively; and having obtained goods from said Trader, valued at the aforesaid amount, did fail and refuse to pay the said amount, paying but twenty-five dollars thereof, he having received sufficient pay at the payment of his company, to discharge said debt in full; thereby wilfully violating the said understanding and agreement made with his company commander, and committing a breach of faith prejudicial to discipline and disrespectful to his commanding officer.

This at Fort Sanders, W. T., the 17th day of May, 1871.

CHARGE 2-Violation of the 6th Article of War.

PLEA-Not Guilty.

FINDING-Of the 1st Charge and Specification-Guilty.

Of the 2nd Charge and Specification-Not Guilty.

SENTENCE—"To be confined at hard labor under charge of he guard, at the post where his company may be serving, for the period of two months."

The proceedings, findings, and sentence in this case are approved.

It is believed from the evidence in this case, that the prisoner had no wish to defraud the Trader, nor any purpose knowingly to break faith with his commanding officer. The difficulty late which he has fallen, seems to have been the result of a misunder-understanding of his duries, rather than of any deliberate purpose to play the rogne. In deference, therefore, to the strong recommendation of a majority of the Court, the Department Commander remits the sentence.

The prisoner will be restored to duty.

9th. Private John Ford, Company I, 2d Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private John Ford, Company I, 20 Cavalry, having obtained from his company commander his endorsement to, and approval of checks to the aggregate amount of thirty seven dollars, on Mr. E. D. Lane, Post Trader, at Fort Sanders, W. T., and which were in the following form:

FORT SANDERS, W. T., ---- -, 1871.

I hereby anthorize the commanding officer of my company, I, 2d Cavalry, to collect from my first payment, and pay to E. D. Lane, Post Trader, the sum of —— dollars, for value received.

Approved: (Signed,) John Ford,

(Signed,) HENRY E. NOYES,

Capt. Company I, 2d Cavalry.

And his company commander having so endorsed said checks on the understanding and implied agreement that the, said Ford, would faithfully pay to said Trader the amount mentioned therein, on the next pay-day following the date of said checks respectively; he did, after obtaining goods from said Post Trader, valued at said amount of thirty-seven dollars, wrongfully refuse and fail, on the next following and all subsequent pay-days, and still refuses, to pay the sum of twelve dollars still due, part and parcel of the aforesaid aggregate sum of thirty-seven dollars, thereby willfully violating the said understanding and agreement made with his company commander, and committing a breach of faith prejudicial to military discipline, and disrespectful to his commanding officer.

This at Fort Saunders, W. T., on or about the 17th day of May, 1871.

PLEA-Not Guilty.

FINDING—Of the Specification—Guilty, except the words, "and all subsequent pay-days, and still refuses," and of the excepted words—Not Guilty.

Of the Charge-Guilty.

SENTENCE—"To forfeit to the United States ten dollars per month of his mouthly pay for two months, and to be confined at hard labor, in charge of the guard, for the same period."

The proceedings, findings, and sentence in this case are approved.

The prisoner is thought, from the evidence in this case, to have bad a preconceived intent to defrand the trader. It is the bounden duty of a soldier, as of every other man, to avoid incurring debts which he has reasonable ground to suppose he will be unable to pay when due.

The prisoner had no right to expend with the trader so much more than he could afford, at a time when so considerably in debt to the tailor and other parties; and by doing this, he has been led into the commission of an offense towards his commanding officer, for which he must undergo the appropriate punishment.

The sentence will be enforced.

10th. Private Thomas O'Brine, Company II, 9th Infantry.

Charge-Conduct to the prejudice of good order and military discipline.

Specification 1-In this, that Private Thomas C'Brine, Company II, 9th Infantry, was so much under the influence of intoxicating liquor as to be mable to perform his military duties properly.

This at Fort Sanders, W. T., on the 20th day of May, 1871.

Specification 2—In this, that Private Thomas O'Brine, Company H. 9th Infantry, having promised his company commander. Captain A. S. Burt, 9th Infantry, for the purpose of escaping punishment at the time, to abstain from drinking all intoxisating liquors for the period of three months, viz: from the 13th day of May, 1871, to the 13th day of August, 1871, did violate said promise by drinking some intoxicating liquor.

This at Fort Saunders, W. T., on the 20th day of May, 1871. PLEA—To the 1st Specification—Guilty.

To the 2d Specification—Not Guilty.

To the Charge-Gnilty.

FINDING-Of the 1st Specification-Guilty.

Of the 2d Specification—Nolle prosequi, entered by the Judge Advocate, with the consent of the Court. Of the Charge—Guilty.

SENTENCE—"To forfeit to the United States five dollars of his monthly pay for one month."

The proceedings, findings, and sentence in this case are approved, except the entry by the Judge Advocate near the close of the trial, of a nolle prosequi under the second specification; there being no evidence that this was done with the consent of the prisoner, who was cultiled to a verified unless he waived it.

The sentence will be duly executed.

11th. Private John M. Kepple, Company H. 9th Infantry.

CHARGE-Violation of the 38th Article of War.

PLEA-Not Guilty.

FINDING-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved.

It is surprising that an enlisted man should have been placed and retained in confinement on an accusation so ill-substantiated is this. To judge from the barrenness of the testimony, the iffeer who ordered the arrest would seem to have thought it no part of his duty to inquire whether there were any substantial grounds for such action.

Private Kepple will be restored to duty.

12th. Private James Jackson, Company H. 9th Infantry.

CHARGE-Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States five dollars of his monthly pay for one month, and to be confined under charge of the post guard for ten days at hard labor."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private James Simpson, Company I, 2d Cavalry.

CHARGE 1—Habitual Drunkenness, CHARGE 2—General Worthlessness.

CHARGE 3—Absence without leave.

PLEA-To the Specification 1st Charge-Not Guilty.

To the 1st Charge-Not Guilty.

To the Specification 2d Charge-Not Guilty.

To the 2d Charge-Not Guilty.

To the Specification 3d Charge—Guilty, except to the date, "31st of May."

To the 3d Charge-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay now due him, and to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case, are approved and confirmed and the sentence will be duly executed.

II... The General Court Martial convened at Fort Fred, Steele, W. T., pursuant to Paragraph 4, Special Orders No. 72, current series from these Headquarters, and of which Lieutenant-Colonel. Albert G. Brackett, 2d Cavalay is President, and 1st Lieutenant William M. Waterburg, 13th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL.

Aide de Caron

G. C. M.

FORT D. A. RUSSELL.

- 1. Private John Bantle, Band 9th Infantry.
- 2. Private Edward Decker, Company I, 9th Infantry.
- Private Charles S. Hunt, Company I, 9th Infantry.
 Private William Bonner, Company D, 13th Infantry.
- 5. Private Arthur Sproul, Company D, 13th Infantry,
- 6. Private John Conners, Company F, 9th Infantry.
- 7. Private Winfield N. Wade, Company D, 5th Cavalry.
- 8. Private Hugh Fitzpatrick, Company F, 9th Infantry.
- Private Daniel Green, Company C, 5th Cavalry.
 Fairier Teter McGuire, Company C, 5th Cavalry.
- 11. Private James Adams, Company C, 5th Cavalry,
- 12. Private George Stoll, Company K, 5th Cavalry.
- 13. Private Joseph Carr, Company B, 9th Infantry.
- 14. Private Martin Barrett, Company F, 9th Infantry.
- 15. Private Daniel McElroe, Company M, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, June 14th, 1871.

GENERAL ORDERS, Xo. 38.

I. Before a General Court Mattial which convened a. Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 85, current series from these Headquarters, and of which Major Eugene W. Crittenden, 5th Cavalry, is President, and Capitain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private John Bantle, Band 9th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private John Bande, Band 9th Infantry, did provoke a row in the Band quarters by exclaiming in a lond voice "where is the son of a b—h Dessan," and did chase the said Dessan, Private of the Band 9th Infantry, and did chase the said Dessan, Private of the Band 9th Infantry.

strike him with a bar of iron on the head inflicting a wound; this without just cause or provocation.

This at Fort D. A. Russell, W. T., on the 26th day of Mr Specification 2—In this, that Private John Bautte, B Infantry, did create a disturbance in the Band quarters claiming in a lond voice "PII shoot the son of a b—h, I Myers," and did flourish a pistol in his hand while as a threatening the life of Private Jacob Myers, Band 9th Infa

This at Fort D. A. Russell, W. T., on the 26th of May,

PLEA-Not Gnilty.

FINDING-Guilty.

SEXTENCE—"To forfeit to the United States all pay an ances due or that may become due him; to be dishe discharged the service of the United States, and then corsuch penitentiary as the Commanding General may direcperied of one year."

The proceedings and findings in this case are approve sentence is unduly severe. Though guilty of violent ac under the influence of liquor, the prisoner seems to have no lasting injuries, and the whole affair appears to have result of a temporary frenzy brought upon a generally te man by an unwonted indulgence in poisonous whick opinion is strengthened by the ample testimony to p generally quiet demeanor and excellent character as a In view of this evidence, and concurring in the recommend of the members of the Court, the Department Commitigates the senter ce to two months confinement in thomse, and the forteiture of tren dollars of his pay for two

As modified the sentence will be duly executed.

2d. Private Edward Decker, Company I, 9th Infantry.

Charge—Desertion.

PLEA-Not Guilty.

FINING—Not Guilty, but guilty of absence without les SENTENCE—"To forfelt six dollars of his monthly pay month, and to be confined at hard labor in charge of th for the same period,"

The proceedings, findings, and sentence in this capproved and confirmed, and the sentence will be duly ex-

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The allegation in the specification that the prisoner is a duly enlisted soldier is not mere surplusage, and should invariably be sustained by some proof; it being sufficient to show that he has drawn pay or clothing, and the First Sergeant being always competent to prove this. In this case no evidence is offered by the prosecution to this point. As the prisoner virtually admits in his defence that he is a soldier, the omission referred to will not be held to vitiate the proceedings, as otherwise it clearly would do. 3d. Private Charles S. Hunt, Company I, 9th Infantry.

CHARGE-Desertion. PLEA-Not Guilty.

FINDING-Not Guilty, but guilty of absence without leave.

SENTENCE-" To forfeit ten dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the same period." The proceedings, findings, and sentence in this case are

approved and confirmed, and the sentence will be duly executed. 4th. Private William Bonner, Company D, 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE-" To forfeit all pay and allowances due or that may become due him; to be indelibly marked on the left hip with the letter D, two and a half inches long; to have his head shaved; to be dishonorably discharged the service of the United States; and then to be bugled out of the garrison "

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private Arthur Sproul, Company D, 13th Infantry,

CHARGE-Desertion.

PLEA-Guilty. FINDING-Gnilty.

SENTENCE-"To forfeit all pay and allowances due or that may become due him; to be indelibly marked on the left hip with the letter D, two and a half inches long; to have his head shaved; to be dishonorably discharged the service of the United States; and to be bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed

6th. Private John Conners, Company F, 9th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—"I' To forfelt all pay and allowances due or that may become due him; to be indelibly marked on the left hip with the letter D two and a half inches long; to have his head shaved; to be dishonorably discharged the service of the United States; and then to be bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved. So much of the sentence as requires that the prisoner be bugled out of the garrison is remitted. The remainder of the sentence will be duly executed.

7th. Private Winfield N. Wade, Company D, 5th Cavalry.

CHARGE 1—Absence without leave, in violation of the 21st Article of War.

Charge 2—Conduct to the prejudice of \mathbf{good} order and military discipline.

Specification—In this that he, Private Winfield N. Wade, Company D, 5th Cavalry, did become drunk, and lie about the streets of Cluyeune City, W. T., in a beastly condition, thereby disgracing himself and the service of the United States.

This at or near the City of Cheyenne, W. T., on or about the 25th day of May, 1871.

CHARGE 3—General worthlessness, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, to have his head shaved and be drummed out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Sth. Private Hugh Fitzpatrick, Company F, 9th Infantry.

CHARGE-Drunkenness on duty, in violation of the 45th Article of War-

PLEA-Gnilty.

FINDING-Guilty.

SENTENCE-" To be confined at hard labor in charge of the gnard for the period of six months,"

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

9th. Private Daniel Green, Company C, 5th Cavalry,

CHARGE-Desertion. PLEA-Guilty.

FINDING -Gnilty. SENTENCE-"To forfeit all pay and allowances due or that

may become due him; to be indelibly marked on the left hip with the letter D, two and a half inches long; to have his head shaved; to be dishonorably discharged the service of the United States; and then bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th, Farrier Peter McGuire, Company C, 5th Cavalry,

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit all pay and allowances due or that may become due him; to be indelibly marked on the left hip with the letter D, two and one-half inches long; to have his head shaved; to be dishonorably discharged the service of the United States; and then bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private James Adams, Company C, 5th Cavalry,

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To forfeit all pay and allowances due or that may become due him; to be indelibly marked on the left hip with the letter D, two and a half inches long; to have his head shaved; to be dishonorably discharged the service of the United States; and then bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved, but the shaving of the head is remitted. As modified, the sentence will be duly executed.

12th. Private George Stoll, Company K, 5th Cavalry.

CHARGE-Drunkenness on duty.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of six months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private Joseph Carr, Company B, 9th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

Specification—In this that he, Private Joseph Carr, Company B, 9th Infantry, did, on or about the 13th day of March, 1871, unlawfully steal, take, and carry away, from the pocket of Sergeant John King, of some company and regiment, one silver watch valued at forty dollars.

This at or near Fort D. A. Russell, W. T., and on or about the 13th day of March, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the Department Commander may designate for a period of two years and six months.

In this case there was no evidence submitted to the Court which by itself justified the conviction of the prisoner. Why was not $D_{\theta}er$, the saloon keeper, put upon the stand, to whom the prisoner pawned the watch for liquor? His testimony would have been conclusive; while the statements of others of what they heard $D_{\theta}er$ say, were inadmissible.

The prisoner admits, however, in his defence that he had the

watch, and pretends that it was given him by a soldler since descreted. This admission, in connection with the circumstantial exilence in the case, places the gulit of the prisoner beyond a doubt. The sentence is approved but the confinement is reduced to one year. As modified the sentence will be duly exceuted.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

14th. Private Martin Barrett, Company F, 9th Infantry.

Спаксе—Desertion.

PLEA-Not Guilty.

FINDING-Guilty.

SEXTENCE—"To be dishonorably discharged the service of the United States; to be indelibly marked on the left hip with the letter D, two and a haif inches long; and then to have his head shaved and be bugled out of the garrison."

The proceedings, fludings, and sentence in this case are approved and confirmed, and the sentence will be duly executed

15th. Private Daniel McElroe, Company M, 5th Cavalry.

CHARGE 1—Desertion, in violation of 20th Article of War.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States; to be indelibly marked on the left hip with the letter D, two and a half inches long; and then to have his head shaved, and be drummed out of the service.

The Court is thus lenient in consideration of the recovery of the pistol.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II. The General Court Martial convened at Fort Sanders, W. T., pursuant to Paragraph 1, Special Orders No. 90, current series from these Headquarters, and of which Major William B.

Royall, 5th Cavalry, is President, and Captain Gustavus A. Huil, M. S. K., Quartermaster's Department, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:
GEO. D. RUGGLES,

Assistant Adjutant General.

OPPICIAL

Aide-de-Camp.

G. C. M.

CAMP DOUGLAS.

- 1. Private Frank McCarville, Company C, 13th Infantry.
- 2. Private Edward Griffin, Company D, 2d Cavalry.
- Private Henry Williams, Company D, 2d Cavalry.
 Private Michael C. Leonard, Company B, 13th Infantry.
- 5. Private Daniel Loundregan, Company G, 13th Infantry.
- 6 Private Maurice Crimmins, Compuny G, 13th Infantry.
- 7. Private Thomas Fay, Company E, 13th Infantry.
- 8. Private Thomas J. Blackburn, Company E, 13th Infantry.
- 9. Private William Bennett, Band, 13th Infantry.
- Private James McLaughlin, Company C, 13th Infantry.
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OMAHA BARRACK

- Private John Woods, Company A. 9th Infantry.
 Bugler Jacob Sturgis, Company A. 9th Infantry.
- 3. Private Thomas Miller, Company C, 9th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, June 15th, 1871.

No. 39.

I. Before a General Court Martial which convened at Camp Douglas, U. T., pursuant to Paragraph 3, Special Orders No. 84, current series from these Headquarters, and of which Lientenant Colonel Henry A. Morrow, 18th Infantry, is President, and Captain A. L. Hough, 18th Infantry, Judge Advocate, were arraigned and tried:

1st. Private Frank McCarrille, Company C, 13th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

Specification—In this, that he, Private Frank McCarville, Company C, 13th Infantry, did mulawfully take, steal, and carry away one overcoat, the property of Private Baker, Company C, 13th Infantry.

This at Camp Douglas, U. T., on the 11th day of May. 1871.

PLEA-Not Gnilty.

FINDING-Gnilty.

SENTENCE—"To forfelt all pay and allowances due or to become due, except the just dues of the laundress; to be confined at hard labor under guard for six months; and then to be dishonorably discharged froin the service."

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to four months, that the dishonorable discharge may go into effect in moderate weather.

As modified, the sentence will be duly executed.

2d. Private Edward Griffin, Company D, 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty

FINDING-Gullty.

SENTENCE—"To forfeit to the United States all pay and allowances due or to become due, except the just dues of the laundress, to be confined at hard labor in charge of the guard for six months, and then to be dishon-rably discharged from the service."

Had the prisoner in this case possessed the courage to return to duty after his drunken absence, Instead of aggravating his original offense by desertion under the influence of an unmanly fear, he would still have deserved, and probably received, some punishment; but punishment much lighter than that herein infleted, and without the lasting sigma which now attaches to his name. In discarding from its service men of this stamp, the government suffers no real loss.

The proceedings, findings, and sentence are approved, but the term of confinement is reduced to four months to avoid the necessity of discharging the prisoner in the severity of winter. As modified, the sentence will be duly executed.

3d. Private Henry Williams, Company D, 2d Cavalry.

Спаксе 1—Theft, to the prejudice of good order and military discipline.

Specification—In this that he, Private Henry Williams, Company D. 2d Cavalry, while an attendant at the Post Hospital, Camp Douglas, U. T., did take and steal out of the store-room of the Post Hospital at Camp Douglas, U. T., one bottle of whilsty and three bottles of sherry wine. This on or about May 3d, 1871.

CHARGE 2-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Of the specifiation 1st charge-Guilty, except the words "and three bot les sherry wine;" and of the excepted words-Not Guilty.

Of the 1st charge-Guilty

Of the specification, 2d charge-Not Guilty,

Of the 2d charge-Not Guilty.

SENTENCE-" To forfeit all pay and allowances now due, or that may become due, to be confined at hard labor in charge of the guard for the period of six months, and then to be dishonorably discharged from the service."

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to four quartis that the prisoner may not be discharged in mid-winter. As modified, the sentence will be duly executed.

4th. Private Michael C. Leonard, Company B, 13th Infantry.

CHARGE-Neglect of duty, to the prejudice of good order and military discipline.

PLEA-To the specification-Guilty, except the words "by allowing one of the prisoners of the guard house to escape," and of the excepted words-Not Guilty.

To the charge-Not Guilty.

FINDING-Guilty.

SENTENCE-" To be confined at hard labor in charge of the guard for the period of three months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

In this case the proceedings, findings, and sentence are approved.

The evidence affords no good reason for supposing that there was any wilful neglect of duty on the part of the accused. Indeed the degree of carelessness for which he should be held responsible appears to be slight. In view of his unblemished character for faithful service, as sworn to by Captain Osborne, 13th Infantry, and of the month's confinement already suffered by him, the sentence, with the exception of a forfeiture of five dollars, is remitted. Private Leonard will be restored to duty.

5th. Private Daniel Loundregan, Company G, 13th Infantry.

CHARGE-Desertion.

PLEA-To the specification-Guilty, except the words-" and without the intention to return," and of the excepted words-Not Guilty.

To the charge-Not Guilty.

FINDING-Gnilty.

SENTENCE—"To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; to beconfined at hard labor in charge of the guard for the period of six months; and then to be dishonorably discharged from the service."

In this case the prisoner, without permission, left Camp Douglas after dark, and was arrested the same evening, intoxicated, in Salt Lake City, by the police. When arrested he was dressed in his miform, but had with him a carpet bag with some articles of citizens' elothing in it, viz; shirt, trowsers and boots. In his pocket was found a letter from a man in Bingham Canon, informing prisoner of the writer's whereabouts. In defence the prisoner produces two witnesses, who swear that they were with him shortly before his arrest by the police, and that when they started for camp he begged them to wait for him; and another witness shows that prisoner had been intending for some time to send some clothing to a friend in the canon. Under this state of facts the evidence is deemed to be insufficient to warrant a conviction under the charge of desertion.

In deference to the judgment of the Court, the proceedings, fludings, and sentence are approved. The sentence, however, is mitigated to confinement for two months, and forfeiture of eight dollars per mouth for the same period; and, as modified, will be duly executed.

6th. Private Maurice Crimmins, Company G, 13th Infantry.

CHARGE-Desertion.

PLEA—To the specification—Guilty, except the words "without intent to return" and of the excepted words—Not Guilty.

To the charge-Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfelt to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to be confined at hard labor in charge of the guard for the period of six months; and then to be dishonorably discharged from the service."

The proceedings, findings and sentence in this case are approved, but the term of confinement is reduced to four months. As modified, the sentence will be duly executed.

7th. Private Thomas Fay. Company E, 13th Infantry.

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit all pay due or that may become due him; to be confined for two years in such penitentiary as the proper anthority may select; and to be dishonorably discharged from the service."

The proceedings in this case and the findings under the first charge are approved. The proof that the prisoner stole his musket is inferential only, and by no means sufficiently conelusive to justify a penitentiary continuement.

The findings under the second charge are disapproved. The sentence is approved but the imprisonment is mitigated to four months in the guard house, and as modified, will be duly executed.

8th. Private Thomas J. Blackburn, Company E, 13th Infantry.

CHARGE 1—Drunkenness on duty.

CHARGE 2—Disrespect to his superior officer, to the prejudice of good order and military disciplice.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard, with a ball and chain weighing thirty pounds atta-hed to his right leg, for ten months; and to forfeit ten dollars of his mouthly pay for the same period."

The proceedings, findings, and sentence in this case are approved. In deference to the recommendation of the members of the court, the sentence is modified to two mouths confinement in the guard house and forfeiture of eight dollars of his pay per month for five months; and as mitigated, will be duly excented.

9th. Private William Bennett, Band, 13th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING -Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquital in this case are approved. Private Bennett will be restored to duty.

The arrest of this prisoner seems to have been ordered without a sufficient preliminary investigation of the facts.

10th. Private James McLaughlin, Company C, 13th Infantry. CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this tint he, Private James McLaughlia, Company C, 13th Infautry, did, while a m more of the post guard and sentined in charge of prisoners, without authority permit Private James Carry, Company D, 2d Cavalry, a prisoner, to leave his work, and did go with him (the prisoner) to a pile of wood, where they were discovered by officers of the garrison with a bottle of whisky in their possession. This at Camp Douglas, C. T., on the 2d day of June, 187.

Specification 2—In this that he, Private Janes McLaughlia, Company C. 13th Infantry, did, white a member of the guard and sentinel over prisoners, without authority and without the knowledge of the officer of the day, allow Private Janes Carry, Company D, 2d Cavalry, a prisoner, to quit his work and go to Lieuteinant William A. Dimeiddie, 2d Cavalry, and demand of him a bottle of whisky that had been taken from him. This at Camp Douglas, U. T., on the 2d day of June, 1871.

FINDING-Gnilty.

PLEA-Guilty.

SENTENCE—"To be confined at hard labor in charge of the gnard, for the period of three months, and to forfeit to the United States ten dollars of his monthly pay for the same period."

The statement made by the prisoner at the close of the trial, presents a state of facts so much less criminal than those alleged in the specifications to which he ignorantly pleads guilty, as to fall little short of bringing the case within the purview of Paragraph 3, Page 280, Digest; and the Court would have been justified, had they carried their investigation of the case somewhat further, and examined witnesses in verification or subversion of the prisoners statement.

The proceedings, findings, and scattenee are approved; but in compliance with the recommendation of a portion of the Court the sentence is mitigated to forfeiture of five dollars per mouth of his pay for two months; and, as modified, will be duly executed. 11. Before a General Court Martial which convened at Omaha Barrneks. Nebraska, pursuant to Paragreph 1, Special Orders No. 95, current series from these Headquarters, and of which Coloned I. N. Palmer. 2d Cavalry, is President, and 2d Lientenant John H. Coale, 9th Infantry, Judge Advocate, were arraigned and tried:

1st. Private John Woods, Company A. 9th Infantry.

CHARGE 1-Violation of the 45th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In that Private John Woods, Company A, 9th Infantry, while on duty as a member of the post guard, did take off his belts and throw them on the guard house floor and refuse to perform his duty as a sentinel, saying "I would rather be in the guard house than not," or words to that effect.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Gnilty.

SENTEXCE—"To forfeit to the United States ten dollars per month of his monthly pay for two mouths, to be confined under charge of the post guard for thirty days, and to earry a twenty pound log each day from reveille until retreat, allowing one half hour for each meal during the same period."

In this case, in the specification of the 2d charge there is no assignment of time or place. This defect is fatal to the validity of the proceedings under this charge, and the remaining charge being drunkenness on duty, the forfeiture of pay by the sentence is allegal, and is disapproved. The remainder of the sentence is approved but mitigated so that the interval allowed for meals shall be one hour cach, and the prisoner shall be exempted from earlying the log on Sundays. As modified, the sentence will be duly excented.

 Bugler Jacob Sturgis, Company A, 9th Infantry. CHARGE—Desertion.

PLEA-Guity.

FINDING-Guilty.

SENTENCE.—"To be confined at hard labor in charge of the guard for six months, forfeiting to the United States all pay for the same period."

The proceedings, findings, and sentence in this ease are approved.

The voluntary surrender of this prisoner after an absence of only nine days, inclines the reviewing authority to the exercise of lenity in the case, aside from any cousideration of the excellent character given the man by his company commander. This character, as testified to by Capitalu Jordan, is so high, that the Department Commander is persualed that the prisoner regretted his desertion as soon as committed, and surrendered himself to the proper authorities from a desire to atone for his single act of misconduct.

The sentence is modified to read "one month" instead of "six months;" and, as mitigated, will be duly executed.

3d. Private Thomas Miller, Company C. 9th Infantry.

CHARGE—Desertion. PLEA—Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfelt to the United States all pay and allowances now due or that may become due; to be confined at hard labor under charge of the guard at Omaha Barracks for the period of six months; and at the end of that time to be dishonorably discharged the service of the United States."

In this case the testimony tending to show an act of desertion on the part of the prisoner is extremely meagre. The only witness examined in the case is Captain Munson, the Company Commander, who testifies that the prisoner was reported absent from the Company about April 20th last, and about the same time that such report reached the witness, was returned in citizen clothes in charge of a policeman, who arrested him in Omaha.

He was absent in all less than one day, and left his property behind him in the quarters when he went away. In strictness a case, to be regarded as well tried, requires better evidence than this. There was no legal proof before the Court that the prisoner was ever absent, there was no legal evidence that he was arrested in Omaha. To establish the first proposition the books of the company should have been submitted to the Court, with the testimony of the 1st Sergeant, or other person acquainted with the facts. To prove the second, the officer who arrested the prisoner, or some man who saw the policeman bring him in to the post, should have been called to give his evidence. It is clear that nearly, if not quite all of Captain Manson's testimony is lnadmissible, as founded on hearsay.

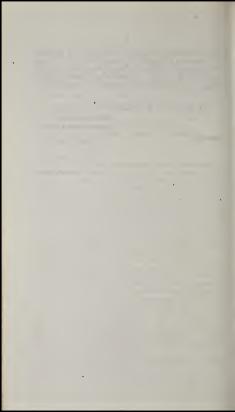
The findings and sentence are therefore disapproved. Private Miller will be restored to duty. HI.-The General Court Martial convened at Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 85, current series from these Headquarters, and of which Major Eugene W. Cettendon, 5th Cavalry, is President and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, June 26, 1871.

No 41.

Officers in command of troops serving along the line of the Union Pacific Railroad are authorized to receive from the agents thereof, the allowance of wood for fuel authorized for their commands, when no other provision for furnishing the same has been made.

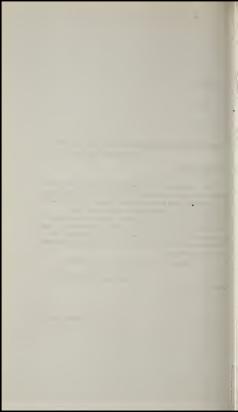
Wood thus received will be receipted for by these officers to the railroad agents, and vouchers for the same will be made by the Quartermaster on whom the troops make requisition for fuel.— These accounts will be settled at the office of the Chief Quartermaster of the Department.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.





G. C. M.

SUDNEY BARRACKS.

- 1. Private Thomas Murray Company K. 14th Infantry, FORT FETTERMAN.
- 1. Private George W. Ray, Company G, 14th Infantry.
- v2. Private Henry Herald, Company G, 14th Infantry,

FORT LARANDE.

- 1. Private Thomas Martin. Company A, 5th Cavalry.
- Private Charles Gallagher, Company B, 14th Infantry.
 Musician John Broome, Company I, 14th Infantry.

CAMP DOUGLAS.

1. Private Michael Burke, Company E, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE. Omaha, Nebraska, June 29, 1871.

GENERAL ORDERS. No. 42.

1. Before a General Court Martial which convened at Shlaps Burracks, Xeb., pursuant to Paragraph 1, Special Orders Xo. 105, current series from these Headquarters, and of which Lientenant Colonel Thomas Duncon. 5th Cavalry, is President, and Captain Emil Adam 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Thomas Murray, Company K, 14th Infantry.

CHARGE—Reckless and homicidal violence, to the prejudice of good order and military discipline.

Specification 1—In this that he, Pelvate Thomas Marray, Company K. 14th Infantry, a duly enlisted soldier in the service of the United States, while on duty as a sentry, and charged with the special duty of conducting Private Louis Silva, 14th Infantry, to the quarters of the Hospital Steward of the post of Fort Sedgwick, C. T., did in said quarters, in and upon said Silva, unlawfully make an assault; and did indict a mortal wound upon the body of the said Silva by unlawfully shooting him with a rided

musket loaded with powder and leaden bullet or bullets, of which said mortal wound so inflicted as afore aid by the said $\Delta urray$, the said Eura did larguish for the space of one half hour or there about, and did then die.

This at Fort Sedgwick, C. T., on or about the evening of the 30th of May, 1871.

Specification 2—In this that he, Private Thomas Murray, Company K. 14th Infantry, a duly en listed soldier of the U. S. Arny, did at Fort Sedgiwick. C. T., on or about the 30th of May, 1871, in and upon the person of Private Louis Sitea, a prisoner under his charge, make an assault, and did felonionsly, maliciously, and with malice aforethought, shoot at and wound the said Sitea with a deadly weapon, then and there held in his hands, viz a rifled masket louded with powder and bullet or bullets; and by said shooting and wounding did felonionsly, maliciously, and with malice aforethought, kill said Sitea, by inflicting upon his body a mortal wound, whereof he, said Sitea, did speedly die.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification—Gullty, excepting the words,
"feloniously, maliciously, and with malice aforethought," wherever they occur, and of the excepted

words-Not Guilty.
Of the charge-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard, for the period of one year,"

In this case the proof shows that the accused was ordered, by the Sergeant of the guard, to take Private Silea, a soldier is confinement in the guard house, to the office of the Hospital Steward to have a dressing applied to a wounded foot. The accused did so, and ten minutes after reaching the Hospital Steward's office, shot Silea with his ride, inflicting a mortal wound

of which the latter died in thirty minutes.

There is no reason for supposing the act to have been committed with deliberation or malice prepense; but rather under an intense excitement of mind caused by a knowledge of Silea's character for reckless courage, and his known intention to desert whenever possible, no matter at what cost; by the repeated insults heaped by him npon the accused; and by his refusals to comply with the latter's order to return to the guard house.

It appeared in proof that orders had been issued, and were well known to the command, to shoot Silva on the spot in case of his making the slightest effort to escape. It was, finther, Silva's practice to boast of his power to get away, and of the various modes in which he had done so in times past; and it is shown that he had been attering such boasts to the accused very shortly before his death, telling him among other things that he had once succeeded in escaping from confinement by shooting a sentry, and again by disarming another. On the day alleged, while under the guard of the accused, Silva had reneatedly cursed and insulted the latter, and had, moreover, shocked and angered him beyond endurance by the atterance of freglatful blasphemies against the Savior. The accused is shown to be a good and steady soldier, and his relations with the deceased seem to have been friendly up to the moment of the homicide. It is held on these grounds that the feeling of malice, which constitutes the distinction between murder and less henious homicides, is proved to have been wanting in the case now under consideration.

But it is clear that the accused was under no necessity to take Silve's life. The latter had made no effort to cscape, he was partially cripled by a wounded and bleeding toot, and he could have been returned to the guard house without the smallest difficulty, had the accused been cool enough to call another man to his assistance.

The crime committed by Private Marray was less, but in view of Silve's defenceless condition, little less, than murder; and the reviewing authority, though prepared to accept and confirm the conclusions of the Court to the extent of finding the accessed guilty of the lesser crime of man langhter, is not willing, by a remission or even milization of the sentence as recommended by the Court, to encourage sentinels to believe that they are at liberty to take the lives of prisoners under their charge for trilling acts of insubordination; or that any other than the gravest necessity, or the orders of their superior officers, can Justify them in using their fire-arms in the performance of their day.

The proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed at the post where the prisoner's company may be serving. H. Before a General Court Martial which convened at Fort Fetterman, W. T., pursuant to Paragraph I, Special Orders No. Sc. current series from these Headquarters, and of which Lientenant Colonel George A. Woodnerd, 14th Infantry, is President, and Assistant Surg on Francis Le B. Monroe, Medical Department, Judge Advocate, were arraigned and tried;

1st. Private George W. Ray, Company G. 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that P.ivate George W. Ray, Company G. 14th Infantry, a duly cultisted soldier in the service of the United States, d'd create a disturbance in his company quarters by striking in the face with his fist Private Robert H. Stager, Company G, 14th Lifantry, without just cause or provocation.

All this at or near Fort Fetterman, W. T., May 22d, 1871.

Specification 2—In this, that Private George W. Ray, Company G. 14th Infantry, a duly cultisted soldier in the service of the United States, did stand at the door of his company quarters white a fight was going on inside between Privates Herald and Singer. (the being at the time a prisoner under charge of a sentinel) and did raise an axe and say to Corporal James White-head. Company G. 14th Infantry: "You see of a b—h, if you don't stand back Til ent von in two," or words to that effect. This while Corporal Whitehead was in the execution of his office trying to part Privates Herald and Singer.

All this at or near Fort Fetterman, W. T., May 22d, 1871.

Specification 3—In this, that Private George W. Rey, Company G, 14th Infantry, a duly enlisted soldier in the service of the United States, did staad at the door of his Company quarters while a fight was going on inside between Privates Heroid and Singer (he being at the time a prisoner under charge of a sentinel) and did say to Sergeant A. Beibel, Company G, 14th Infantry: "You are a d—d son of b—h," or words to that effect. This while Sergeant Beibel was in the excention of his office, trying to part Privates Heroid and Singer. All this at or near Fort Fetterman, W. T., May 22d, 1871.

PLEAT To the 1st specification—Guilty,
To the 2d specification—Not Guilty.
To the 3d specification—Not Guilty.
To the charge—Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification-Not Guilty.

Of the 3d specification—Guilty, except the word "damned."

Of the charge-Guilty.

SENTENCE—"To forfeit to the United States, ten dollars per month of his monthly pay for two months, and to be confined at hard labor in charge of the guard for one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Henry Herald, Company G, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private Reany Heroid, Company G. Hin Infantry, a duly cullsted soldier in the service of the United States did evente a disturbance in his company quarters by striking in the face with his fist Private Robert II. Stager, Company G. 14th Infantry, without just cause or provocation.

All this at or near Fort Fetterman W. T., May 22d, 1871.

Specification 2—In this, that Priva'e Heavy Herald. Company G. 14th Infantry, a duly culisted soldier in the service of the United States, did. npon being ordered to the guard house, make the following threatening language to Private Robert H. Stager, Company G. 14th Infantry, to wit: "You just wail, you son of a b—h, till I get out; I'll make it hot for you;" or words to that effect.

All this at or near Fort Fetterman, W. T., May 22d, 1871.

Specification 3—In this, that Private Henry Herald. Company G, 14th Infantry, a duly emlisted soldier in the service of the United States, and being at the time a prisoner under charge of a sentinel, did visit his company quarters, and without cause or provocation strike, lick, and otherwise maltreat Private Robert H. Singer, Company G, 14th Infantry.

All this at or near Fort Fetterman, W. T., about 1 o'clock, P.

M., May 22d, 1871.

Specification 4—In this, that Private Henry Herald. Company 6, 14th Intantry, a daly cullsted soldier in the service of the United States, did visit his company quarters (he being at the time a prisoner under charge of a sentinel) and engage in a fight with Private Robert H. Siberger, Company G, 14th Intantry; and upon being ordered by Corporal James Whitehead, Company G, 14th Infantry, to cease kicking Private Singer, did say to Corporal Whitehead: "You son of a b—h, I'll kick you, if you don't dry up," or words to that effect. This while Corporal Whitehead was in the execution of his office.

All this at or near Fort Fetterman, W. T., on or about 1 o'clock v. M., May 22d, 1871.

PLEA-To the 1st specification-Not Guilty.

To the 2d specification-Guilty

To the 3d specification—Not Guilty.

To the 4th specification—Not Guilty.

To the charge-Guilty,

FINDING-Of the 1st specification-Guilty, substituting the word "hand" for "fist."

Of the 2d specification-Gnilty.

Of the 3d specification—Guilty.

Of the 4th specification—Guilty, except the words,

"I'll kiek you if you don't dry up," and substituting therefor the words, "I'll give you a punch."

Of the charge—Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for two months, and to forfeit to the United States eight dollars per month of his monthly pay for four months."

In this case the proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed. During the trial of this prisoner a question was put to a witness by a member of the Court, which was objected to by the Judge Advocate "as nunceessary." The Court overfuled the oblication.

This action of the Judge Advocate—Indeed it is his clear duty—to take exception in the interests of the prisoner, whose counsel he is, to illegal or leading questions put by n member; and should the latter insist on his question, to request the judgment of the Conrt. For example: he should object to inquiries which compel a witness to criminate himself; to such as elleit merely hearsay evidence; to inquiries into the opinions of witnesses not qualified as experts, except on questions of drunkenness, upon which every man is presumed to be an expert. But it is not required of the Judge Advocate to object to an interrogatory pat by a member merely because, in his judgment. It is unnecessary; as, after all, it is the Conrt which is to decide upon the guilt or innocence of the prisoner—not he; and what may appear to him

unnecessary, may be in the highest degree necessary with a member of the Coart, to remove a Conbt or to enlighten his conscience. There should either be some legal ground of objection, or the member should be evidently and frivolously wasting the time of the Court, before the Judge Advocate can be justified in interposing.

 Private Thomas Hamilton, Company G, 14th Infantry, Charge—Desertion.

PLEA-Not Guilty.

FINDING -Not Guilty, but guilty of absence without leave.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay per month for three months, and to be confined at hard labor under charge of the guard for one month."

The proceedings, fludings and sentence in this case are approved. It is thought the prisoner's oftense will be sufficiently punished by a fine of ten dollars and confinement for one month. The forfeiture pronounced by the Coart is reduced therefore to ten dollars for one month.

As mitigated, the sentence will be duly executed.

III.. Before a General Court Martial which convened at Fort Laramic, W. T., pursuant to paragraph 2, Special Orders No. 98, current series from these Headquarters, and of which Captain Edicard H. Leib. 5th Cavalry. is President, and 2d Lientenant William W. McCammon, 14th Infantry Judge advocate, were arraigned and tried:

1st. Private Thomas Martin, Company A, 5th Cavalry,

CHARGE—Theft, to the prejudice of good order and military discipline.

Specification—In this, that he Private Thomas Mortia, Company A, 5th Cavalry, a duly enlisted soldier in the service of the United States, did take, steal and carry away, and assist in taking, stealing and carrying away from J. W. Wham. Special Indian Agent, thirty-six shirts; said shirts being the property of the United States.

All this at Fort Laramie, W. T., on or about May 4th, 1871. ADDITIONAL CHARGE—Desertion.

PLEA-Not Guilty.

FINDING-Of the specification, 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification, additional charge-Guilty, except the words "did desert the service of the United States," substituting therefor the words "escape from the guard," and of the excepted words-Not Guilty.

Of the additional charge—Not Guilty, but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE—"To forfeit to the United States all pay and allowances that are due or may become due him; to be confined he sield penitentiary as the reviewing antiority may direct for the period of two years, and at the expiration of his term of confinement to be dishonorably discharged the service.

In this case the proceedings, findings and sentence are approved, but the term of imprisonment is reduced to one year. The prisoner will be dishonorably dissharged before his confinement in a penitentiary. As modified, the sentence will be duly executed.

The penitentiary at Fort Mudison, Iowa, is designated as the place of confinement, where the prisoner will be e-inducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

2d. Private Charles Gallagher, Company B, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private Charles Gallagher, Company B, 14th Infantry, whilst a prisoner in the post guard house, did indied edisturbance amongst the prisoners by quarreling; and did continue his riotons conduct after being repeatedly ordered to keep quiet by Sergeant Francis S. Niles, Company B, 14th Infantry, in charge of the guard.

All this at Fort Laramie, W. T., on the 29th day of May. 1871.

Specification 2—In this, that Private Charles Gallagher, Company B. 14th Infantry, whilst a prisoner in the post guard house, did, after incling and creating a general disturbance in the post guard house necessitating his confinement in a solitary cell, continue his disorderly conduct by knocking at the door of his cell, enrising, and otherwise conducting himself in a noisy manner.

All this at Fort Laramie, W. T., on the 29th day of May. 1871.

Specification 3-In this, that Private Charles Gallagher, Company B, 14th Infantry, whilst a prisoner in the post guard house, and confined in a solitary cell for noisy and riotous conduct, did ask Sergeant Francis S. Niles, Company B, 14th Infantry, in charge of the gnard, for a drink of water, and after receiving the same did attempt to escape from the cell, and upon Sergeant Niles forcibly detaining him from doing so, he, the said Private Charles Gallagher, Company B, 14th Infantry, did say to the said Sergeant Francis Niles, "You son of a b-h, I will kill you," or words to that effect; at the same time entting or stabbing with a knife, striking with his fist the said Sergeant Niles; and did continne to do so until overpowered by the members of the guard.

All this at Fort Laramie, W. T., on the 29th day of May, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification-Guilty,

Of the 3d specification-Guilty, except the words " I will kill you"-" entting and stabbing with a knife," and of the excepted words-Not Guilty. Of the Charge-Guilty,

SENTENCE-" To forfeit to the United States ten dollars of his monthly pay per month for the period of five months, and to be confined at hard labor under charge of the guard for the same period; and at the end of that time to be dishonorably discharged the service of the United States."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Musician John Broome, Company I, 14th Infantry.

CHARGE-Desertion. PLEA-Guilty

FINDING-Guilty.

SENTENCE-" To forfeit to the United States ten dollars of his monthly pay per month for the period of twelve months; to reimburse the United States for all expenses incurred in his apprehension; and to be confined under charge of the guard for the period of three months, the first two months at hard labor and the last month in close confinement,"

In this case the proceedings, findings and sentence are approved.

The prisoner's Commanding Offleer, Lieutenant Buchanan, 14th Infantry, testifies that the prisoner has been an excellent solder, as good as any in the company—and that he never had occasion till now to correct him for any fault. The prisoner, who has been in the service sixteen months, states that he was under the influence of liquor when he descrited. In view of his high character as a soldier, the reviewing authority is satisfied of the truth of this declaration, and is convinced that the prisoner strongly regrets the very serious crime of which he has been guilty. As this is the first offense committed by him, it is just that his past good conduct should be of weight in determining the degree of punishment to be inflicted; the sentence is therefore modified to read as follows:

"To re-imburse the United States for all expenses incurred in his apprehension; to forfeit ten dollars per month, of his mouthly pay, for three months; and to be confined under charge of the guard for the same period."

As modified, the sentence will be duly executed.

IV.-Before a General Court Martial which convened at Camp Douglas, U. T. pursuant to Paragraph 3, Special Orders No. 84, current series from these Headquarters, and of which Lieutenant Colonel Henry A. Morrow, 13th Infantry, is President, and Capitain Affred L. Hough, 13th Infantry, Judge Advocate, were arraigned and tried;

1st. Private Michael Burke, Company E, 13th Infantry.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of four months,"

The proceedings, findings, and sentence in this case are approved.

In view of the prisoner's statement, that this is his second enlistment, and that he has never been brought before a General Court Martial; and in the hope that by a element treatment of his case he may be induced to resist for the future, the templation of liquor; the term of confluement is multigated to one month.

As modified, the sentence will be duly executed.

By Command of Brigadier General Augur: GEO. D. Ruggles, Assistant Adjutant General,

OFFICIAL.

Aide-de-Camp.



SENTENCE—"To forfeit to the United States one mouth's pay, and to be confined in the guard house, at the post where his company may be serving for the period of two months."

In this case the proceedings, findings, and sentence are approved.

In view of the favorable recommendation of the Coart, founded on the general character of this prisoner, which his company commander testifies is excellent, the reviewing authority is persuaded that this is a case in which lenity may safely and wisely be exercised. The sentence is therefore remitted. Private Heoner will be restored to duty.

H. Before a General Court Martial which convened at Fort Fetterman, W. T., pursuant to Paragraph I. Special Orders No. 98, current series from these Headquarters, and of which Lieutenant Colonel George A. Woodcrad, 14th Infantry, is President and Assistant Surgeon Francis Le B. Monroe, Medical Department, Judge Advocate, were arraigned and tried;

1st. Hospital Steward John M. Walsh, U. S. A.

Charge—Conduct to the prejudice of good order and military discipline.

Specification—In that Hospital Steward John M. Wolsh, U. S. A., having been ordered by Corporal George H. Willis, Company G, 14th Infantry, he being in the execution of his duty as Corporal of the guard, to put out the light burning in the room occupied by him, it being after taps, did reply: "Go away from here, you have no business here;" and upon being told by Corporal Willis, that it was the order of the Commanding Officer that he should put out the light, did reply: "Kiss my * * ;1 will put out my light when I get ready;" or words to that effect. This at Fort Fetterman, W. T., at or about 11 P. M., June 23.1, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit ten dollars of his mouthly pay for five months."

The latter part of the specification in this case is intended to convey the idea that the accused was guilty of gross disrespect towards the post commander; whereas the evidence shows that the offensive remark attributed to the Accused was not said in Specification—In this that he, Private Harry Bloodgood, Company I, 5th Cavalry, did feloniously take, steal, and carry away from the arm chest in the store-room of Company I, 5th Cavalry, four revolvers, more or less, the property of the United States, and for which Captain S. C. Kellogg, 5th Cavalry, was responsible. This at Fort McPherson, Neb., on or about and between the tweithh and twenty-fifth days of May, 1871.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Hurry Bhoodgood, Company I, 5th Cavalry, did unlawfully and without anthority offer for sale to Jonathan White, clitzen, two revolvers, the property of the United States, and for which Captain S. C. Kellogg, 5th Cavalry, was responsible. This at Fort McPherson, Neb., on or about the 15th day of May, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty. And the Court does therefore a quit him.

In this case the findings and acquittal are approved. The proceedings are approved, with the exception that the record falls in one or two instances to show affirmatively, that the prisoner was offered and waived the right to cross-examine. Should the prisoner decline this right, the record should invariably so state. Private Bloodgood, will be released from confinement.

4th. Private William Heoner, Company G, 5th Cavalry.

CHARGE -Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private William Honer, Company G. 5th Cavalry, having been ordered by 1st Sergeant Richard W. Goodman, Company G. 5th Cavalry, through Corporal Michael Naloney, of same company and regiment, to report at the Quartemaster's Department for fatigne, did refuse to obey, and did sen to Corporal Maloney: "You tell Sergeant Goodman that I will not go on fatigue duty; I will go in the guard house first," or words to that effect. All this at Fort McPherson, Neb., on or about the 27th day of June, 1871.

PLEA-Guilty.

FINDING-Guilty.

was offered an opportunity to cross-examine. A prisoner should luvariably be asked if he desires to exercise this right, and should he answer in the negative the record should distinctly state the fact. In cases of conviction, the neglect of the Judge Advocate to record a prisoner's waiver of this privilege may result in the disapproval of the entire proceedings. The rule is imperative, and is not to be disregarded.

The evidence shows that the prisoner had daily access to the tool chest wherein the stolen money was concealed; that he joined the garrison with little or no money in his possession; then shortly after the alleged theft he was seen with a large sum, which he squandered recklessly in liquor; that he gave two contradictory accounts of the source from which the sudden supply came; and that he promised to replace the stolen money if the complainant would effect his release from confinement. These are facts, the suspicious character of which nothing offered in defence has any tendency to clear up. It is therefore not without great hesitation that the reviewing authority confirms the findlings and acquittal. The prisoner will be released from confinement.

2d. Private Albert W. Johnson, Company I 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Albert W. Johnson. Company I, 5th Cavalry, did unlawfully offer for sale to Jonathan White, clitzen, three revolvers, the property of the United States, and for which Captain S. C. Kellogg. 5th Cavalry, was responsible. This at Fort McPhyrson, Neb., on or about the 2d day of of April, 1871.

PLEA-Not Guilty.

FINDING-Not Guilty. And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. There appears to have been no foundation for the charge under which the prisoner was tried, and his arrest must have been ordered without a sufficient examination into the facts.

3d. Private Harry Bloodgood, Company I, 5 h Cavalry.

CHARGE 1-Theft, to the prejudice of good order and military discipline.

G. C. M.

FORT MCPHERSON.

V1. Farrier George Crowley, Company F, 5th Cavalry.

Private Albert W. Johnson, Company I, 5th Cavalry.
 Private Harry Bloodgood, Company I, 5th Cavalry.

4. Private William Heoner, Company G, 5th Cavalry.

FORT FETTERMAN.

1. Hospital Steward John M. Walsh, U. S. A.

2. Private Hamilton Trotter. Company F, 14th Infantry.

3. Private Charles Hinton, Company E, 14th Infantry.

4. Private John Coulman, Company F, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 12, 1871.

GENERAL ORDERS, No. 43.

I. Before a General Court Martial which convened at Fort McPherson, Neb., pursuant to Paragraph 4, Special Orders No. 99, current series from these Headquarters, and of which Captain John Miz. 2d Cavalry, is President, and 2d Lieutenant Edward G. Steens. 5th Cavalry, Judee Advocate, were arrafened and tried;

1st. Farrier George Crowley, Company F, 5th Cavalry.

CHARGE-Theft, to the prejudice of good order and military discipline.

Specification—In this that Farrier George Crowley, Company, F, 5th Cavalry, did steal from a tool chest in the post blacksmith shop, the sum of forty dollars, more or less, belonging to, and deposited there for safe keeping by, blacksmith Hugh Donnelly, Company F, 5th Cavalry, on or about the 17th of May, 1871.

This at North Platte Station, Neb., between the 27th and 31st days of May, 1871, and while the said *Donnelly* was absent, sick inhospital at Fort McPherson, Neb.

PLEA-Not Guilty.

FINDING—Not Guilty. And the Court does therefore acquit him.
The proceedings in this case are approved, with the exception that the record fails in several instances to show that the prisoner

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reply to the statement of the Corporal that the Commanding Officer had ordered the light out, but half an hour after this, and in a different conversation; and moreover, the evidence shows the important fact that the Corporal merely informed the Accused that he "supposed" the order came from the post commander. The finding of guilty under the specification as it stands is not therefore warranted by the proofs.

The accused, however, was guilty of gross discourtesy towards the Corporal of the guard; an officer entitled ex officio to the most respectful treatment, not only at the hands of enlisted men but of every commissioned officer of a garrison. If its clear duty was, not to insult the Corporal and disregard his orders, but either to apply for instructions at once to the officer of the day or to obey the Corporal's orders and seek relief on the following morning.

In doing what he did the accused was highly culpable and merits punishment. The sentence in its present form, however, is thought to be mululy severe, in view of the discrepancy between the allegations and the proof, and in view of the probabiity, moreover, that, as the order which he disobeyed was to him without a precedent, he honestly assumed it to be also without warrant.

Except in the particulars above mentioned, the proceedings, findings, and sectence are approved, but the sentence is mitigated to the forfeiture of ten dollars for one month; and as modified, will be duly executed.

2d. Private Hamilton Trotter, Company F, 14th Infantry.

CHARGE 1-Disobedience of orders, in violation of the 99th Article of War.

 $\ensuremath{\mathrm{CHARGE}}\xspace\,2\mathrm{--Conduct}$ to the prejudice of good order and military discipline.

Specification—In this, that Private Hamilton Trotter, Company F, 14th Infantry, when asked by 1st Sergeant H. E. Stevart, Company F, 14th Infantry, why he left the quarters without permission, did say: "I am not going to be run on by you any longer; I will leave the quarters whenever I d—n choose;" and did further remark: "You will run this thing too far yet;" at the same time making threatening gestures towards the said 1st Sergeant.

This at Fort Fetterman, W. T., on or about the 3d day of July, 1871.

PLEA-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification, 2d charge—Guilty, omitting the words "d—d" and "at the same time makin, threatening gestures towards the said 1st Ser gennt;" and of the excepted words—Not Guilty Of the 2d charge—Guilty.

SENTENCE—"To be confined at hard labor under charge of th guard for two months, and to forfeit six dollars per month of hi monthly pay for the same period."

The proceedings, findings, and sentence in this case ar approved and confirmed, and the sentence will be duly executed

3d. Private Charles Hinton, Company , 14th Infantry.

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and militar discipline.

Specification—In this, that he, Private Charles Illaton, did tak and carry away, and in some improper manner dispose of on breech-loading rifle masket, one gun-sling, one sercev-driver, on tompion, twenty metallic cartridges, one haver sack, one ca teen, two cap-letters, four figures, the property of the Unite States, and for which his Company Commander, Captain F. I. Trotter, 14th Infantry, was responsible.

This at or near Camp Stambaugh, W. T., on or about Jun 4th, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit all pay and allowances now due of which may become due him hereafter, to be dishonorably discharged the service, and to be confined in such penitentiary at the proper authority may designate, for the period of one year."

In this case the evidence shows that the prisoner owes hi present degradation to his criminal indulgence in the shamefu vice of gambling, having so overwhelmed himself with debt b, this practice as to desert the service rather than face his credit ors; and this crime, grave enough in itself, he aggravated b, carrying away and disposing of his arms and equipments. The proceedings and findings are approved and confirmed. The sentence pronounced by the Court is regarded as in no degree disproportionate to the prisoner's aggravated offences; but in view of his generally good character for the past three years, as sworn to by his company commander, and for this alone, the term of confinement is reduced to six months. As mitigated, the sentence will be duly excented.

The penitentiary at Fort Madison, Lowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

4th Private John Coulman, Company F, 14th Infantry.

Charge 1-Desertion.

CHARGE 2-Violation of the 46th Article of War.

CHARGE 3—Theft, to the prejudice of good order and military discipline.

Specification.—In that Private John Contman, Company F. 14th Infantry, having deserted, did take with him the following articles of Government property, issued to him to be used in the service of the United States and for which Captain George W. Dost, 14th Infantry, is accountable, viz: three numbers, four cap-letters, four cap-bugles, one pair metallic scales, one camen with straps, one haversack, one Springfield brecchloading rille, one cartridge box and plate, one bayonet, one gun-sling, one serve-driver, twenty metallic cartridges, one cartridge box, one waist belt and plate, one tompion and one bayonet scabbard.

This at Fort Fetterman, W. T., on or about the 27th day of May, 1871.

PLEA-Guilty.

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FINDING-Gnilty,

SENTERCE.—"To forfeit all pay and allowances now due, or which may hereafter become due him, to have his head shaved, to be dishonorably discharged the service of the United States, to be drummed out of the garrison, and to be confined in such penientlary as may be designated by proper authority, for the period of two years."

The crimes committed by this prisoner, were among the gravest a soldier can be guilty of. He not only wilfully deserted the service, in violation of his solemn oath of fidelity, taking with him

properly of great value belonging to the Government, but he deliberately abandoned his post while a sentinel on duty. The severest punishment is well merited for such a criminal disregard of every military obligation.

The proceedings, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

III. The General Court Martial convened at Camp Douglas, U. T., pursuant to Paragraph 3, Special Orders No. St, current series from these Headquarters, and of which Lieutenant Colone Henry A. Morroe, 13th Infantry, is President, and Captan Alfred L. Houch. 13th Infantry, Judge Advocate, is hereby dissolved.

IV.-The General Court Martial convened at Sidney Barraeks, Neb., parsant to Paragraph I, Special Orders No. 105, current series from these Headquarters, and of which Lieutenant Colone Thomas Duncan, 5th Cavalry, is President, and Captain Emil Adam, 5th Cavalry, July Rereby dissolved the Section 11 of the Cavalry Section 12 of the Cavalry Section 13 of the Cavalry Section 13 of the Cavalry Section 14 of the Cavalry Section 14 of the Cavalry Section 14 of the Cavalry Section 15 of th

By Command of Brigadier General Augur: Geo. d. ruggles,

Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.

ing or authorizing subjection of men of their commands to punishment by sweat-boxes, tying up by thumbs, bucking, or any other irregular and illegal punishments.

Commanding officers will be held responsible that such punishments are not resorted to in their commands.

Summary panishments, if authorized and regulated by law, are undoubtedly most efficacious; but so long as they are not, recourse must be had to those now prescribed by law and regulations, and no others will be sanctioned or permitted.

IV. Company commanders are authorized to assign reliable privates to the duty specified in para. III. G. O. No. 33,c. s. from these Hdq'rs, whenever, from the scarcity of non-commissioned officers, it may be inconvenient or impracticable to detail them for the purpose.

V. The following instructions contained in para, I, General Orders No. 3, of 1870, from these Headquarters, are hereby relterated, and a full compliance therewith will be exacted. Fallure on the part of commanders, to obey these instructions to the letter, results in non-payment, by the Pay-master in this city, of final statements given by them to discharged soldiers; and the officers responsible will in future be held to strict accomma accordingly, viz.

As discharged soldiers usually travel ahead of the mail, company commanders and Adjutants commanding regimental bands and non-commissioned staff, are hereby directed to send to the Chief Paymaster the notification of discharge required, three or four days previous to date of discharge. These commanders will send with this notification, the signature of the discharged soldier as additional proof of identity, if he can write his game; if he cannot write his name, this fact will be reported in writing in the notification of discharge.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, July 17, 1871.

GENERAL ORDERS, NO. 44.

I. Attention is called to the Act of Congress, approved July 16th, 1862, Chapter 190. This act prohibits sentences to the penitentiary for offences purely military, but does not apply to other crimes, such as stealing, &c., not of a military character.

In this connection the following decision of the Judge Advocate General, dated April 10th, 1871, touching sentence to penitentiary for crime of desertion, is published for the information of all concerned, viz:

"A sentence of imprisonment in a penitentiary upon conviction of desertion, is improper, because such a sentence is, by the Act of July 16th, 1862, Chapter 190, prohibited to be enforced. The statute law is clear upon the

subject; and no executive order, or opinion entertained by a Court Martial, can avail to except any case whatever from the provisions of such law."

II. Officers detailed as members of a military Court, and unable, from any cause, to attend its sessions, must bear in mind that it is their duty to submit to the Court, to be affixed to the record, a written explanation of their absence. In cases of sickness, a medical certificate is required of the member absent for this reason.

The practice of officers absenting themselves without explanation, from the sessions of the Court of which they have been appointed members, must be discontined.

III. From the proceedings of Courts-Martial, and from other sources, the Commanding General is led to believe that at some posts in this Department, unusual and unauthorized punishments are at times inflicted upon enlisted men.

He desires to have it distinctly understood by all, that he will institute vigorous proceedings against any officers subject-

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 21, 1871.

No. 45.

By direction of the President of the United States, the military reservation of Fort Laramie is enlarged as follows:—

Commencing at a point on the eastern boundary of said reservation, as described in General Orders No. 34, of 1869, from these Headquarters, six miles south of where it crosses the North Platte river; thence easterly on a line parallel to, and six miles from the said North Platte river to longitude of Soctu's Bluffs; thence due north to north bank of said North Platte river; thence westerly along north bank of said river to intersection with eastern boundary of present reservation; thence due south to point of beginning.

> BY COMMAND OF BRIGADIER GENERAL AUGUR; GEO. D. BUGGLES.

> > Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.



G. C. M.

FORT BRIDGER.

- 1. Private Charles C. Browne. Company F, 13th Infantry.
 OMAHA BARRACKS.
- Private Rasmus Jorgensen, Company B, 2d Cavalry.
 FORT FRED STEELE.
- 1. Private Edwin Sanders, Company D, 13th Infantry.
- Private Patrick O'Leary, Company H, 13th Infantry.
 OMAHA BARRACKS.
- 1. Private Harry Powers, Company E, 2d Cavalry.
- 2. Private James Glyun, Company D, 9th Infantry.
- 3. Private William McFarland, Company L. 5th Cavalry.

Camb Douglas.

1. Private William Carey, Company B, 13th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 26, 1871.

GENERAL ORDERS. Xo. 46.

1. Before a Geieral Court Martial which convened at Fort Bridger, W. T., pursuant to Paragraph 1. Special Orders No. 121, enrrent series from these Headquarters, and of which Major Robert S. La Motte, 13th Infantry, is President, and Assistant Surgeon Joseph K. Corson, Medical Department, Judge Advocate, was arraigned and tried:

1st. Private Charles C. Browne, Company F. 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.
FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances that are or may become due; to be dishonorably discharged from the service of the United States; and to be confined at hard labor at such place as the Commanding General may direct for one year." The proceedings fludings, and sentence in this case are approved, but the term of confinement is reduced to eight months. As modified, the sentence will duly executed at the post where the prisoner's company may be serving. The dishonorable discharge will be given at the expiration of the term of imprisonment.

11. Before a General Court Martial which convened at Omalua Barracks, Neb., pursuant to Paragraph 3. Special Orders No. 72, current series from these Headquarters, and of which Colonel L. V. Palmer, 2d Cavalry, is President, and 2d Lientenant John H. Coale, 9th Infantry, Judge Advocate, was arraigned and tried:

1st. Private Rasmus Jorgensen, Company B, 2d Cavalry.

Спаксе 1—Descriton.

CHARGE 2-Theft.

Specification—In this that he, Private Rusmus Jorgensen, Company B. 2d Cavalry, did steal the following ordunance and ordunance stores, quartermaster's property and camp and garrison equipage, viz:

One Sharp's carbine, one Colt's revolver, one horse (cav.), one saddle and one bridle, and numerous other articles exceeding in value one hundred and flity dollars, the property of the United States, and for which 1st Lieu:enant Randolph Norwood, Commanding Company B, 2d Cavalry, was responsible.

All this at or near Bryan Station, W. T., on or about the 20th day of April, 1871.

CHARGE 3-Violation of the 38th Article of War.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

To the 3d charge and specification.—Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge—Guilty, excepting the words; "One Colt's revolver, and numerous other articles exceeding in value one hundred and fifty dollars."

Of the 2d charge-Gnilty.

Of the specification 3d charge—Guilty, excepting the words; "One Colt's revolver, and numerous other articles exceeding in value one bundred and fifty dollars."

Of the 3d charge-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged the service of the United States; and to be confined at hard labor in such penitentrary as the Commanding General of the Department may designate, for the period of two years."

The proceedings and findings in this case are approved. The sentence is also approved; but it the belief that the prisoner acted without premeditation, and was suddenly surprised into the commission of his several offenses by the persuasions of Sergeant Peter Grover of the same company, recently convicted of the same erimes, and now a deserter from the service; and in view further of the fact that he has manifested his penitence by the payment of a sam of money, which, added to the partial forfeiture of pay now due and to become due him, will re-imburse the Government for its losses occasioned by his misconduct; the sentence is modified to read as follows:

To forfelt to the United States all pay and allowances due at the date of his arrest; to be confined under charge of the guard, at the post where his company may be serving, for the term of two months; and to forfelt ten dollars per month of his pay during his confinement.

As modified the sentence will be duly executed.

III.. Before a General Court Martial which convened at Fort Fred Stecle, W. T., pursaant to Paragraph 2, Special Orders No. 120, current series from these Headquarters, and of which Lieu-temant Colone Henry A. Morrow, 13th Infantry, is President, and 2d Lieutenant Jesse C. Chauce, 13th Infantry, Judge Advocate, were arraigned and tried:

1st Private advin Sanders, Company D, 13th Infantry.

CHARGE-Desertion.
PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined in charge of the guard for the period of six months; to forfeit all pay now due or that may become due; and then to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Patrick O'Leary, Company H, 13th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Patrick O'Leary, Company II, 13th Infaurty, did become noisy and disorderly in his company quarters after taps, and when ordered by his 1st Sergeant Denais Bose, Company II. 13th Infaurty, to keep quiet, did leave his company quarters and enter the orderly room and there hasult and abuse said Sergeant there present, by saying; "I can lick you; you knew at about Baker deserting and I will report you, God d—n you; "or words to that effect. This at Fort Fred Steele, W. T., on or about July 5th, 1871.

Specification 2—In this, that he, Private Patrick O'Leary, Company II, 13th Infantry, when ordered to the guard house, did resist his 1st Sergeant Denais Bose, II Company, 13th Infantry, by kicking him and tearing his clothing, and when delivered in charge of the guard did call his 1st Sergeau Denais Bone, Company II, 13th Infantry, "A d—d dirty son of a h—h," saying "I will have revenge," or words to that effect. This at Fort Fred Steele, W. T., on or about July 5th, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for the period of three months; and to fortest to the United States ten dollars of his monthly pay per month for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

IV.—Before a General Court Martial which convened at Omaha Barracks, Neb., pursuant to Paragraph 1, Special Orders No. 95, current series from these Headquarters, and of which Colonel Inness N. Polmer, 2d Cavalry, is President, and 2d Lientenant John II. Code, 9th Infantry, Judge Advocate, were arraigned and tried:

1st. Private Harry Powers, Company E. 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—" To forfelt to the United States all pay and allowances now due or that may become due; to be confined at hard labor under charge of the guard, for the period of one year; at the end of that time to be indelibly marked on the left hip with the letter D, one and a half inches in length; and to be drammed out of the United States service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private James Glynn, Company D. 9th Infantry, Charge—Absence without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit to the United States ten dollars per month of his monthly pay, for two months,"

The proceedings, findings, and sentence in this case are approved; but in view of the prisoner's long confinement before trial, the sentence is remitted. Private Glynn will be restored to duty.

3d, Private William McFarland, Company L, 5th Cavalry.

CHARGE—Desertion.
PLEA—Guilty.

FINDING-Guilty.

SENTENCE.—" To resimburse the United States for all expenses incurred or that may be incurred by the Quartermasters's Department, for the cost of his transportation from St. Louis, Mo., to Fort McPherson, Neb., and to be confined at hard labor in charge of the quard for one month."

The proceedings and findings in this case are approved.

In view of the manifest repentance of the prisoner for the very grave crime be has committed, as indicated in his early return and surrender to the military authorities, the sentence, notwithstanding its extreme lenty, is approved and will be duly executed.

V. Before a General Court Martial which convened at Camp Douglas, U. T., pursuant to Paragraph I. Special Orders No. 124, current series from these Headquarters, and of which Colonel P. R. de Teobriand, 13th Infantry, is President, and Captain Alfred L. Hough, 13th Infantry, Judge Advocate, was arraigned and tried; 1st Private William Carey, Company B, 13th Infantry, Charge—Desertion.

PLEA-Guilty.

FINDING -Guilty.

SENTENCE—"To forfelt to the United States all pay and allowance due or that may become due, except the just dues of the laundress, and to be confined at hard labor in charge of the

guard for six months; after which to be dishonorably discharged from the service of the United States."

From the length of time during which this prisoner remained absent from the service in desertion, before surrendering himself; (about nine months); it cannot be inferred that he finally gave himself up to the authorities because of regret, and in a wish to atone for his erime, but rather through want of means of subsistence, failure of the purposes had in view when he absented himself, or other pressing necessity.

The proceedings, findings, and sentence are therefore approved and confirmed, and the sentence will be duly executed.

VI. The General Court Martial convened at Omaha Barraeks. Neb., pursuant to Paragraph 3, Special Orders No. 72, current series from these Headquarters, and of which Colonel J. N. Pather, 2d Cavalry, is President, and 2d Lient. John II. Coale, 9th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Official..



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 27, 1871.

No. 47.

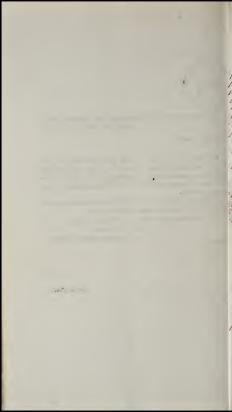
Each company commander, serving in this Department, will turn over to the Acting Ordnance Officer at his post, all serviceable arms and accountements in his possession rendered surplus by recent Acts of Congress reducing the strength of companies to the present standard.

A sufficient supply will be retained with each company to fully equip it, at the maximum standard allowed by law.

By Command of Brigadier General Augur: GEO. D. RUGGLES,

Assistant Adiutant General.

OFFICIAL:



G. C. M.

OMAHA BARRACKS.

- 1. Private Francis Keely, Company A, 9th Infantry.
 - 2. Private Albert Zimmerman, Company A, 9th Infantry.
- 3, Private Michael Arthur, Company F, 5th Cavalry.
 4. Bugler Alexander Weininger, Company E, 2d Cavalry.
- 5. Private William Medigar, Company E, 2d Cavalry.
- 6. Private James II Dale, Company Λ, 9th Infantry.
 7. Private George Ebert, Company Λ, 9th Infantry.
- 8. Artificer Abram Tewilligar, Company A, 9th Infantry.

FORT LARAMIE.

- / 1. Private Paul Sheets, Company A, 5th Cavalry.
- 2. Private James Montgomery, Company I, 14th Infantry.
- 3. Private Joseph McKenna, Company A, 5th Cavalry.

FORT D. A. RUSSELL.

- / 1. Private James McGouldrick, Company E, 5th Cavalry.
- 2. Private William H. Fry, Company E. 5th Cavalry.
- 3. Private William Morgan, Company G, 9th Infantry.
 4. Private George F. Summerfield, Company L, 2.1 Cavalry.
- / 5. Private Frank Abbott, Company B, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 31, 1871.

GENERAL ORDERS, }

1. Before a General Court Martial which convened at Omaha Barracks, Neb., pursuant to Paragraph I, Special Orders No. 95, current series from these Headquarters, and of which Colonel L. N. Putmer, 2d Cavity, Is President, and 2d Licutenant John Hoods, 9th Infantry, Judge Advocate, were arraigned and tried:

1st. Private Francis Keely, Company A, 9th Infantry.

CHARGE-Absence without leave.

PLEA-Guilty.

FINDING -Guilty.



SENTENCE—" To refund to the United States thirty dollars, the cost of his apprehension; to be confined at hard labor is charge of the guard for three months; and to forfeit to the United States ten dollars | er month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Albert Zimmerman, Company A, 9th Infantry.

Charge 1—Disobedience of orders, in violation of the 9th Article of War.

Specification I—In that Private Albert Zimmersam, Company A, 9th Infantry, having been sentenced by a Garrison Court Martial lawfully appointed, to carry a log for thirty days in front of the guard, did positively and wifully refuse to carry said log when ordered to do so by his Superior Officer, 2d Lieutenant John II. Coale, 9th Infantry, who was at the time in the proper discharge of his duty as Officer of the day; saying: "I don't feel well and will not carry a log for you; I'll stand a tie-up first;" or words to that effect.

This at Omaha Barracks, Neb., on or about the 26th day of July, 1871.

Specification 2—In that Private Albert Zimmerman, Company A, 9th Infantry, having been sentenced by a Garrison Court Martial lawfully appointed, to carry a log for thirty days in front of the guard. did positively and wilfully refuse to carry said log when ordered to do so by his Superior Officer, 2d Lieutenant John II. Coale, 9th Infantry, who was at the time in the execution or his office as Officer of the day.

This at Omaha Barracks, Neb., on or about the 30th day of June, 1871.

CHARGE 2-Conduct to the prejudice of good order and military discipline.

Specification 1—In that Private Albert Zimmerman, Company A, 9th Infantry, while a prisoner lawfully in the guard louse and under the orders of the Sergeaut of the guard for the time being, having been ordered, in the due execution of his duty, by Sergeaut Janes A. Parrish, Sergeaut of the guard, to go to the hospital for the purpose of being examined by the Post Surgeon, did positively refuse to go, saying: "I feel well enough and will not go to the hospital;" or words to that effect.

This at Omaha Barracks, Neb. at siek eall on or about the 27th day of June, 1871.

Specification 2—In that Private Albert Zimacrana, Company A, 9th Inlantry, while a prisoner lawfully in the guard house, and under the orders of the Sergeant of the gnard for the time being, having been ordered in the excention of his duty by Sergeant Stiles, Sergeant of the gnard, to help sernb out the guard house, did positively refuse to obey said orders.

This at Omaha Barracks, Neb., on the 15th day of July, 1871.

Charge 3—Disrespect toward his Commanding Officer in violation of the 6th Article of War.

Specification—In that he, Private Albert Zimmerman, Company A, 9th Infantry, when asked by his Company Commander, 2d Lieutenant John II. Coatle, 9th Infantry, whether he would or would not carry a log in obedience to the sentence of a Garrison Comrt Martial, did reply as follows: "I'll not earry a log for you, I'll do anything for Lieutenant Boseman," or words to that effect; and when the question was again repeated by Lieutenant Coale, he, Private Zimaerman, did reply in a highly insulting manner: "I told you once before I would not earry a log for you, and I will not;" or words to that effect.

This at Omaha Barraeks, Neb, on or about the 27th day of June,

1871. PLEA—Guilty.

FINDING-Guilty.

SENTENCE.—"To forfeit to the United States all pay and allowánces now dine or to become due; to wear a twesty-four point abiliathened to his left leg by a chain six feet long; to be confued at hard labor under charge of the guard for a period of eighteen months; then to have his head shaved and be drummed out of the service, dishonorably discharged."

The proceedings, findings, and sentence in this case are approved and confirmed, and the scatence will be duly executed.

3d. Private Michael Arthur, Company F, 5th Cavalry.

Charge-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due; to have the letter D. one and one-half incless in length, indelibly marked on the left hip; to be confined at hard labor under charge of the guard for six months; and at the end of that time to be dishonorably discharged and drummed out of the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Bugler Alexander Weininger, Company E, 2d Cavalry.

Charge 1-Descriton.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

Specification—In this that he, Bogler Alexander Weinlager, Company E, 2d Cavalry, did take away and appropriate to his own use one Sharp's Improved carbine and one Renlington revolver, valued at one hundred dollars, the property of the United States, and for which Captain E. R. Wells, 2d Cavalry, is responsible.

This at Camp Ruggles, Neb., on or about the 17th day of June, 1871.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification—Not Guilty. FINDING—Of the specification 1st charge—Guilty.

Of the 1st charge—Guilty,

Of the specification 2nd charge-Guilty.

Of the 2d charge—Not Guilty of theft, but guilty of violating the 38th Article of War.

SENTENCE—"To forfeit to the United States all pay and allow ances now due or to become due, after making good to the Ordnance Department the value of the arms; to be indelibly marked on the left hip with the letter D one and a half inches long; to be confined at hard labor under charge of the guard for the period of fifteen months; and then to be dishonorably discharged and drummed out of the service of the United States."

The prisoner in this case is convicted of improperly disposing of his arms and accourtements, on his own confession made before trial; and these confessions were rightly admitted by the Court. The evidence of verbal confessions of guilt is to be received with very great caution, because of the danger of initiaths from the misapprehension of witnesses, the misuse of words, the failure of the accused to express his own meaning, the infirmity of human memory, and because the prisoner's mind may have been oppressed by the calamity of his situation, or unduly influenced by motives of hope or fear to confess muruly.

Before listening therefore to testimony giving the confession of a party on trial, the Court should always carefully laquite into the circumstances under which the offered confession was made, and should refuse to hear the evidence until satisfied upon all the foregoing polits. Subject to these cautions in receiving and weighing them, it is generally agreed that deliberate confessions of guilt are among the most effectual proofs in the law. Nor need they in every case be given either orally or in writing. They may be inferred from the prisoner's conduct; such as his silent acquiescence in the statements of others respecting himself, and made in his presence; provided always he had an opportunity to reply. The degree of credit due them is a matter for the decision of the Court, which may repudiate them altogether if convinced of their falsity.

They should be rejected if unaccompanied by other proofs of the corpus delicti.

In the proof of confessions the whole of what the prisoner sail on the subject at the time must be taken together. The Judge Advocate is then at liberty to contradict any part of it by evidence; and the Court may believe that part which charges the prisoner, and reject that in his favor, if they see suffleient grounds for so doing. If what speaks in his favor is not contradicted by evidence offered by the Judge Advocate, nor improbable hi itself, it will naturally be believed by the Court; but they are not bound to give weight to it on that account.

Of course, before any confession can be received in evidence in a criminal case it must be shown to have been voluntary. The course of practice is to inquire of the witness whether the prisoner had been told that it would be better for him to confess, or worse if he did not; or words to that effect.

The proceedings, findings, and sentence in this case are approved. The Court having properly acquitted the prisoner of

stealing, though his taking away his arms was highly criminal, the Department Commander mitigates the term of confinement to six months, and remits the drumning out. As thus modified, the sentence will be duly executed.

5th. Private William Medigar, Company E, 2d Cavalry.

Charge 1-Desertion.

 $_{\rm CHARGE\ 2}$ –Theft, to the prejudice of $\,$ good $\,$ order and military discipline.

Specification—In this that he, Private William Mellipar, Company E, 2d Cavalry, did unlawfully steal, take, and earry away one Coll's revolver and sabre belt and plate, the property of the United States, and for which Captain E. R. Wells, 2d Cavalry, 1s responsible.

All this at Camp Ruggles, Neb., on or about the 17th day of June, 1871.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification—Not Guilty. FINDING—Of the specification 1st charge—Guilty.

Of the 1st charge—Guilty.

Of the the specification 2.1 charge—Guilty of stealing one pistol and of having lost or otherwise disposed of through neglect, one sabre-belt and plate.

Of the 2d charge-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowanees now due or to become due after making good to the Ordinance Department the value of the arms and accountements stolen and lost or disposed of; to be indelibly marked on the left hip with the letter D, one and a half inches long; to be confined at hard labor under charge of the guard for the period of fiteen months; then to have his head shaved; to be drammed twice around the parade at Omaha Barracks, wearing a placard on his breast and back with the word "Thief" thereon; and to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

/ 6th. Private James H. Dale, Company A, 9th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In that Private James II. Dale, Company A. 9th. Infantry, a prisoner in confinement at Omaha Barracks, Neb., did use the following abusive and disrespectful language towards Private Charles Pfahler, Company A. 9th Infantry, a sentinel in charge of prisoners, one of whom he (Dale) w/s, viz: "I wont take up this grass with my hands for any Datch bastard living," or words to that effect; and did say: "I will put a head on you (meaning Private Ifahler) as soon as I get out of the guard house."

This at Omaha Barracks, Nob., on or about the 21st day of July, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-" To be confined at hard labor in charge of the guard for the period of two months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private George Ebert, Company A, 9th Infantry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification—In that Private George Ebert, Company A, 9th

Infantry, did become so drunk as to be anable to perform his duty as a soldier.

This on the 25th, 26th, 27th, and 28th days of July, 1871, at

Omaha Barracks, Neb.
CHARGE 2-Violation of the 44th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—" To be confined in a dark cell, and receive for rations only bread and water, for the period of seven days; and to forfeit to the United States ten dollars of his monthly pay for the period of one month."

The proceedings, findings, and sentence in this case are approved, but the sentence is modified so that the prisoner will be confined in a dark cell only on alternate days; and as mitigated will be duly excented.

8th. Artificer Abram Tewilligar, Company A. 9th Infantry.

Charge 1—Conduct to the prejudice of good order and military discipline. Specification—In that Artificer Abram Tewilligar, Company A. 9th Infantry, did become so drunk as to be unable to perform his duty.

This on the 24th, 25th, 26th, 27th and 28th days of July, 1871, at Omaha Barracks, Neb.

CHARGE 2-Violation of the 44th Article of War.

PLEA-Guilty.
FINDING-Guilty.

SENTENCE—"To be confined in a dark cell, receiving for rations only bread and water, for the period of seven days; and to forfeit to the United States ten dollars of his monthly pay for one mouth."

The proceedings, findings, and sentence in this case are approved but the sentence is modified so that the prisoner will be confined in a dark cell ruly on alternate days; and as mitigated will be duly executed.

II.-Betore a General Court Martial which convened at Fort Larantic, W. T., pursuant to Paragraph 2, Special Orders No. 88, current series from these Headquarters, and of which Captain Ebbard II. Lelb, 5th Cavalry, is President, and 2d Lientenant William W. McCammon, 14th Infautry, Judge Advocate, were arraigned and tried:

1st. Private Paul Sheets, Company A, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Paul Sheets, Company A. 5th Cavalry, did provide and keep intoxicating liquor in his tent in canteens and kegs, and did sell the same by the glass and otherwise to the enlisted men of Company A, 5th Cavalry; thereby causing drunkenness and disorder, and neglect of duty and disciplie in the camp.

This at the camp of Company A, 5th Cavalry, at Fort Laramle, W. T., commencing on or about the 28th day of May, 1871, and continuing putil arrested for the offense.

PLEA-Not Guilty.

Finding—Of the specification—Guilty, except of the paragraphs: "in canteens and kegs,"—"thereby causing drankenness and disorder, and neglect of duty and discipline in camp;" substituting for the words, "eanteens and kegs," "in a keg;"—and of the excepted words—Not Guilty.

Of the charge-Guilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for one month."

The proceedings and findings in this case are approved. The prisoner is found guilty of keeping a key of whisky secretly in his tent, the contents of which he has been in the practice of selling at very high rates to his fellow soldiers at the post. He is sentenced to forfeit ten dollars of his pay.

The secret keeping and selling of liquor by a private soldler, is an offense of such gravity that its discovery should be attended by the severest penalties. The Court limits its punishment to a fine of ten dollars only; a sum which the prisoner, if justly convicted, might well repay limises (by one day's sale).

It being difficult and inexpedient to re-convene the Court for a between the court for a country of the court for a will be excented; though disapproved as utterly handquate, and as tending to impair the character for accurate judgment now justly possessed by military courts.

2d. Private James Montgomery, Company I, 14th Infantry.

Charge—Sleeping on post, in violation of the 46th Article of War.

PLEA-Guilty.

FINDING -Guilty.

Sentence—"To be confined at hard labor under charge of the guard for six months, and to forfeit ten dollars per month of his monthly pay for the same time."

The proceedings, findings, and sentence in this case are approved, but the forfeiture of pay is reduced to five dollars per month.

As modified, the sentence will be duly executed.

 Private Joseph McKenna, Company A, 5th Cavalry, Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be indelibly marked on the left hip with the letter D, two and a half inches long; to forfeit to the United States all pay and allowances that are due or that may become

due him, except the just dues of the laundress; and to be confined at hard labor under charge of the guard, wearing a ball weighing twelve pounds attached to his left leg by a chain four feet long, for the remainder of his term of enlistment, at such military post as the reviewing authority may direct; and at the expiration of that time to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed.

The sentence will be duly executed at the post where the prisoner's Company may be serving; provided the term of confinement does not exceed one year.

III. Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Orders No. 127, current series from these Headquarters, and of which Captain Philip A. Oren, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private James McGouldrick, Company E, 5th Cavalry.

CHARGE-Desertion.

PLEA-Not Guilty.

FINDING-Not Guilty, but Guilty of absence without leave.

SENTENCE—"To forfeit to the United States eight dollars of his monthly pay per month for one wouth, and to be confined at hard labor in charge of the guard for a period of thirty days." The proceedings, fludings, and sentence in this case are ap-

proved and confirmed, and the sentence will be duly executed.

2d. Private William H. Fry, Company E, 5th Cayalry.

Charge 1—Desertion.

Charge 2—Theft, to the prejudice of good order and military discipline.

Specification—In this that he, Private William II. Ery. Company E, 5th Cavalry, did on the 17th day of october, 1870, at Fort D. A. Russell, W. T., take, steal, and carry away, from the quarters of Company E, 5th Cavalry, one Sharp's altered carbine, the property of the United States, and for which Captain Philip Dayer, 5th Cavalry, was responsible.

This at Fort D. A. Russell, W. T., on or about the 17th day of October, 1870.

PLEA—To the 1st charge and specification—Guilty.

To the 2d charge and specification—Not Guilty.

FINDING-Guilty.

SENTERCE—"To be dishonorably discharged the service of the United States; to be indelibly marked on the left hip with the letter D. two and a half inches long; and then to be confined in such penitentiary as the Crumanding General of the Department shall designate, for the period of one year."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, to which place the prisoner will be conducted under suitable gnard and turned over to the Warden of the penitentiary with a copy of this order.

3d. Private William Morgan, Company G, 9th Infantry,

CHARGE 1-Conduct to the prejudice of good order and military discipline.

Specification—In that Private William Morgan, Company G.

9th Infantry, a duly enlisted soldier in the service of the United States, did become so much under the influence of intoxicating liquor as to be unable to perform the duties of a soldier properly.

This at Fort D. A. Russell, W. T., on or about the 5th day of July, 1871.

CHARGE 2-Violation of the 6th Article of War.

Specification—In that Private William Morgan, Company G, the Infinitry, a duly enlisted man in the service of the United States, when ordered to the gnard house by his Company Commander, Captain T. B. Burrowes, 9th Infinitry, and whilst in the enstedy of a non-commissione loff ier of his company, did make use of the following insulting language, viz: "You go to hell, God damy you," or words to that effect; said language being addressed to his Coapany Commander, Captain T. B. Burrowes, being then and there in the performance of his daty.

This at Fort D. A. Russell, W. T., on the 5th day of July, 1871. PLEA-Guilty.

FINDING-Guilty.

SENTENCE -- To forfeit to the United States ten dollars of his monthly pay per month for six months, and to be confined at

hard labor in charge of the guard at Fort D. A. Russell, W. T., wearing a twelve pound ball attached to his left leg by a four foot chain, for the same period."

The proceedings, findings, and sentence in this case are approved.

The conduct of the prisoner was a very serions and a very offensive violation of the rules of military discipline. In deference, however, to the recommendation of the members of the Court, and in view also of the general character given thin by his company commander, the sentence is mitigated to forfeiture and confinement for two months. The ball and chain are remitted.

As modified, the sentence will be duly excented.

/ 4th. Private George F. Summerfield, Company L, 2d Cavalry.

Plea-Guilty.

FINDING-Guilty.

SENTENCE—"To forfelt to the United States all pay and allowances due or to become due him; to be indelibly marked on the left hip with the letter D, two and one-hall inches long; to be dishonorably discharged the service of the United States; to have his head shared and be drummed out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Z= 5th. Private Frank Abbott, Company B. 5th Cavalry.

CHARGE 1-Descriton.

CHARGE 2-Violation of the 38th Article of War.

Specification—In this that he, Private Frank Abbott, Company B, 5th Cavalry, did sell or lose through neglect, or otherwise dispose of one Sharp' improved earbine, one sabre, one waisbelt and plate, one swing-belt and swivel, one saddle-blanket, and one pair spurs and straps, the property of the United States; all of the value of one hundred and fifty dollars.

This at Fort D. A. Russell, W. T. on or about August 1st, 1870.

· PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances due or to become due him; to be dishonorably discharged the service of the United States, and be indelibly marked on the left hip with the letter D two and one-half inches long; and then confined in such penitentiary as the Department Commander may designate, for a period of two years."

The proceedings, and findings in this case are approved. The sentence cannot be approved without certain modifications.

Had this prisoner been found guilty solely of selling his arms and equipments, the punishment of imprisonment, (which he, no doubt, abundantly deserves.) might legally be enforced in a penitentiary. But convicted, as he has been, of "selling, losing through neglect, or otherwise disposing of," such arms, &c., there is no certainty from the finding that the prisoner has, in fact, committed a penitentiary offense. The crime of selling is very different from, and far grayer than that of negligently losing government property. The one is, the other is not, an oftense deserving infamous punishment. In drawing the pleadings in a case like this under the 38th Article it is therefore advisable to describe the prisoner's misconduct in at least two specifications. wherever doubt exists as to the precise mode in which the arms or other property have been made away with. One of these should allege that prisoner did unlawfully and feloniously sell his arms, &c.; the other that he did negligently lose, or otherwise impronerly dispose of them. The findings of the Court could then be adapted accurately to the actual offense of the prisoner as shown in the evidence.

So much of the sentence as imposes on the prisoner penitentiary imprisonment for two years, is nitigated to confinement at hard labor under charge of the guard for six months. As thus modified the sentence is approved and confirmed, and will be duly execute.

The dishonorable discharge will be given at the expiration of the term of imprisonment.

IV..-The General Court Martial convened at Camp Stambaugh, W. T., pursuant to Paragraph 2, Special Orders No. 78, current series from these Headquarters, and of which Major Jones 8, Brisbin, 2d Cavalry, is President, and 1st Lleutenant Hong G. Pratt, 3th Infantry, Judge Advocate, is hereby dissolved.

V... The General Court Martial convened at Fort Laramie, W. T., pursuant to Paragraph 2, Special Orders No. 98, current series

from these Headquarters, and of which Captain Edward II. Leib. 5th Cavalry, is President, and 2d Lientenant William W. McCammon, 14th Infantry, Judge Advocate, is hereby dissolved.

VI...The General Court Martial convened at Fort Bridger, W. T., pursuant to Paragraph 1, Special Orders No. 121, eurrent series from these Headquarters, and of which Major Robert S. La Matte. 13th Infantry, is President, and Assistant Surgeon Joseph K. Corson, Medical Department, Judge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: GEO, D. Ruggles, Assistant Adjutant General.

OFFICIAL.







HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, August 1, 1871.

SENERAL ORDERS, No 49.

First Lieutenant Jacob A. Augur, 5th Cavalry, having been appointed Aide-de-Camp to the Department Commander by Paragraph 8, Special Orders No. 292, current series, from the War Department, is hereby announced accordingly.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, August 7, 1871.

No 50.

The following decision of the Second Comptroller, communicated in endorsement on letter of Captain Ethein Pollock, 9th Infantry, dated Camp Cameron, July 11th, 1871, in the case of Privates Edwin G. Clark and Noah Hency, Company E, 9th Infantry, is published for the information and guidance of all concerned, viz:—

"ADJUTANT GENERAL'S OFFICE,

July 29th, 1871.

Respectfully referred to the Commanding General Department of the Platte.

The Second Comptroller decides that, in case of a soldier charged with desertion, an acquittal of that charge and conviction of absence without leave does not absolve him from responsibility for expenses of apprehension.

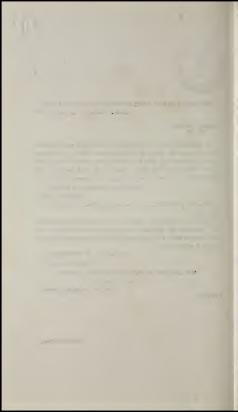
(Signed) E. D. TOWNSEND,

Adjutant General."

BY COMMAND OF BRIGADIER GENERAL AUGUR: GEO, D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

FORT MCPHERSON.

- 1. Private John Fitzsimmons, Company F, 5th Cavalry.
- Private Patrick McGranachan, Company L. 5th Cavalry.
 Private Sidney P. Oliver, Company G, 5th Cavalry.

Para D. A. Barrara

FORT D. A. RUSSELL.

- 1. Private William Cummings, Company E, 5th Cavalry.
- 2. Private Benjamin F. Smith, Company D, 13th Infantry.
- Private Simon Calnon, Company K, 5th Cavalry.
 Private Edward Lyons, Company B, 9th Infantry.
- 5. Private Charles S Hunt, Company C, 14th Infantry.
- 6. Private Thomas Barlow, Company C, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, August 11, 1871.

GENERAL ORDERS, No. 51.

I—Before a General Court Martial, which convened at Fort McPherson, Neb., pursuant to Paragraph 4, Special Orders No. 99, current series from these Headquarters, and of which Captain John Mc., 2d Cavalry, is President, and 2d Lieutenant Edicard G. Stevens. 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private John Fitzsimmons, Company F, 5th Cavalry.

CHARGE 1-Violation of the 44th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private John Fitzsiamnons, Company F, 5th Cavalry, did wilfully and maliciously break and destroy a portion of the mess furniture, the property of Company F, 5th Cavalry. This in the mess-room of his company at North Platte Station, Neb., on the 4th day of July, 1871.

Specification 2—In this that he was so much under the influence of intoxicating liquor as to be untit to perform the duties of a soldier. This at North Platte Station, Neb., July 4th, 1871.

Specification 3—In this, that he, when being taken to the guard-house by 1st Sergeant Patrick Davia, Company F, 5th Cavalry, did violently resist the said 1st Sergeant Davia. This at North Platte, Neb., July 4th, 1871.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge-Guilty,

To the 1st specification 2d charge—Guilty, except the words, "wilfully and uraliciously,"

To the 2d specification 2d charge-Guilty.

To the 3d specification 2d charge-Not Guilty.

To the 2d charge-Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge—Guilty.

Of the 1st specification 2d charge—Guilty.

Of the 2d specification 2d charge—Guilty.
Of the 3d specification 2d charge—Not Guilty.

Of the 2d charge-Guilty.

SENTENCE—"To forfeit to the United States nine dollars per month of his mouthly pay for three mouths, and to be confined at hard labor nuder charge of the guard for one mouth."

The proceedings in this case are disapproved. The record fails to show what members were present, and what, if any, absent, on the day of trial of this prisoner. It is not enough to state in the record that "the Court proceeded to the trial" of the prisoner. It is essential that it should be so complete as to enable the reviewing authority to see at a glance that every requisite for the legal enforcement of the sentence has been adhered to. The inadvertence of the Judge Advocate in making up this record has made it impossible to decide affirmatively that the Court was composed of the legal number of officers.

omposed of the legal number of officers.

The prisoner will be released from confinement.

²d. Private Patrick McGranachan, Company L, 5th Cavalry.

CHARGE 1-Absence without leave.

Charge 2—Drunkenness on duty, in violation of the 45th Article of War.

CHARGE 3-Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Patrick McGranachan, Company L, 5th Cavalry, after having been ordered to go to the guard-house by his 1st Sergeant David Thaler, Company L, 5th Cavalry, did say: "God damn you, Thaler, I will be square with you yet, and fix you for putting me, in the guard-house;" or words to that effect. All this at or near Fort McPherson, Neb., on or about the 27th day of July, 1871.

PLEA-To the 1st charge and specificatiou-Not Guilty.

To the 2d charge and specification—Guilty.

To the 3d charge and specification—Not Guilty.

FINDING - Guilty.

SENTENCE—"To forfeit to the United States nine dollars per month of his monthly pay for three months, and to be confined at hard labor under charge of the guard for one mouth."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Private Sidney P. Oliver, Company G. 5th Cavalry.
 CHARGE—Desertion.

PLEA-Not Guilty, but guilty of absence without lcave.

FINDING-Guilty.

SENERGE—"To forfeit to the United States all pay and allowances that are or may become due him, exe pit the just dues of the laundress and the necessary fatigue clothing; to be confined at hard labor in charge of the guard, for the period of eight months, wearing, for that time, a ball, weighing eighteen pounds, attached to his left leg by a chain six feet long; and at the expiration of that time to be dishonorably discharged the service."

The proceedings in this case are disapproved. The remarks of the reviewing authority upon the parallel case of Private Fitzsimmons, 5th Cavalry, published in this order, are applicable to this case. The prisoner escapes punishment which he richly deserves, on a technicality.

Private Oliver will be released from confinement.

II—Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Orders No. 127, current series from these Headquarters, and of which Captain Philip A. Oven, 9th Infantry, is President, and Captain $Robert\ H.$ Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st-Private William Cummings, Company E, 5th Cavalry.

CHARGE 1-Violation of the 44th Article of War.

Charge 2—Drunkenness on duty.

PLEA-Gnilty.

FINDING-Guilty.

SENTENCE—" To forfeit to the United States five dollars of his monthly pay per month for three months; and to be confined at hard labor in charge of the guard for the period of six months."

The proceedings and findings in this case are upproved. The sentence is regarded as somewhat severe for the offense committed by the prisoner; especially as there is nothing to show that he is an habitual drunkard or a frequently negligent soldier. The term of confinement is reduced to two months, and, as modifled, the sentence will be duly excented.

2d. Private Benjamin F. Smith, Company D, 13th Infantry, Charge—Descriton.

PLEA-Gnilty.

FINDING-Gnilty.

SENTENCE—"To be dishonorably discharged the service of the United States; to be indelibly marked on the left hip with the letter D, two and one-half inches long; to have his head shaved, and then be bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Simon Calnon, Company K, 5th Cavalry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he Private Staon Calnon, Company K, 5th U. S. Cavalry, being a prisoner in the post gnard tent, did become drunk, and did use abusive language toward his Company Commander, Captain J. W. Mason, 5th Cavalry, in these words: "I will never soldier mader Captain Mason: he is nothing but a dirty old thicf." This at Chug Water Station, W. T., on the night of July 27, 1871.

Specification 2—In this, that he did use abusive and threatening language towards Sergeant Philip Hanran, Company K, 5th Cavalry, being at that time Sergeant of the Guard, in the words: "I will kill you to-morrow, you damned old dirty son of a b—h;" I kill so thug Water Station, W. T., on the night of July 27th, 1871.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specifications-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at Fort D. A. Russeil, W. T., for a period of six months; and to forfeit to the United States five dollars per month of his monthly pay for the same period. The first thirty days of his confinement to be compelled to walk in front of No. 1, carrying a log weighing twenty-five pounds from reveille to retreat (thirty minutes being allowed for each meal), on every alternate day; and on the off days to be placed in close confinement."

The proceedings, findings, and sentence in this case are approved, with the exception of those under the first specification to the 24 charge, the offense alleged in which should have been laid under the 6th Article of War.

The sentence is also approved, but in view of the prisoner's generally steady character and freedom from habitual intemperance, is so mitigated that his confinement and forfeiture will be for two months; and he will be made to carry a log as directed for ten days only; and, as modified, will be duly executed.

4th. Private Edward Lyons, Company B, 9th Infantry.

Charge,1—Positive and wilful disobedience of orders.

CHARGE 2—Disrespect to his Commanding Officer, in violation of the 6th Article of War.

CHARGE 3—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Edward Lyons, Company B. 9th Infantry, did address to his Commanding Officer, Colonel John II. King. 9th Infantry, through the Regimental Adjutant, 1st Licutemant Leonard Hoy, 9th Infantry, a written communication, as follows, to say:

"Headquarters, Fort D. A. Russell, W. T., July 31st, 1871.

" To the Adjutant 9th Infantry,

SIR —I desire respectfully to state that as I have been in a very bad state of health for some time past, and as this state of health has been produced by sitting in a constrained position at a desk, in justice to myself I am compelled to refuse absolutely to work any longer as clerk at the above Headquarters,

I desire to be sent to Dr. Frantz to be examined.

Awaiting your decision in this matter, I am, with the greatest respect, your obedient, humble servant,

(Signed) Edward Lyons, Private Co. B, 9th Infantry."

This at Fort D. A. Russell, W. T., on the 31st of July, 1871.

PLEA—To the 1st charge and specification—Guilty.

To the 2d charge and specification-Not Guilty.

To the 3d charge and specification-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of three months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved, but in view of the recommendation of the members of the Court, the sentence is remitted. Private Lyons will be restored to duty.

5th. Private Charles S. Hunt. Company C, 14th Infantry.

CHARGE-Drunkenness on duty.

PLEA-Guilty.

FINDING-Gnilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of six months,"

The proceedings, findings, and sentence in this case are approved, but the sentence is mitigated to confinement for three months, and, as modified, will be duly executed.

6th. Private Thomas Barlow, Company C, 14th Infantry.

CHARGE-Violation of the 44th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE.—"To forfeit to the United States eight dollars per month of his monthly pay for two months; and be confined at hard labor in charge of the gnard at the post where his company may be serving, for the same period."

The proceedings, findings, and sentence in this case are approved, but the forfeiture of pay is remitted. As mitigated, the sentence will be duly executed.

III.—The General Court Martial convened at Fort McPherson, Reb., pursuant to Paragraph 4, Special Orders No. 90, current series from these Headquarters, and of which Captain John Miz, 2d Cayalry, is President, and 2d Lieutenant Edward G. Steens, 5th Cavalry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General

FFICIAL.





OMAHA BARRACKS.

- 1. Private James II. Dale, Company A, 9th Infantry,
 - 2. Private James Brogan, Company A, 9th Infantry.
 - Private James Kelly, Company A. 9th Infantry.
 Private James Bowley, Company I, 5th Cavalry.
 - 4. Private James Bordey, Company I, 5th Cavalry.
 - 5. Private Charles P. Murphy, Company C, 9th Infantry.

Camp Douglas.

- 1. Priva e Oliver Ainsworth, Company I, 13th Infantry.
- Private John S. B. Patterson, Company I. 13th Infantry. CAMP CAMERON.
- Sergeant Joseph Clark, Company E, 9th Infantry.
- 2. Private Charles C. Clark, Company C, 2d Cavalry.
- Private Charles F. Feltham, Company C, 2d Cavalry.
 Private John Daly, Company C, 2d Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, August 12, 1871.

GENERAL ORDERS, No. 52,

I. Before a General Court Martial which convened et Omaha Barracks, Xeb., pursmant to Paragraph I. Special Orders No. 56, current series from these Headquarters, and of which Colonel Inits N. Palmer, 2d Cavalry, is President, and 2d Lieutenant John H. Coale, 9th Infantry, Judge Advocate, were arraigned and tried:

1st. Private James H. Dide, Company A. 9th Infantity.

Charge $1-\mathrm{Neglect}$ of duty, to the prejudice of good order and military discipline.

Specification—In that he, Private James II. Dule, Company A, 9th Infantry, having been duly mounted as a member of the post guard and placed in charge of two prisoners, did, by his neglect, allow said prisoners to escape from him after overpowering him and depriving him of his gun and accourtements. All this at Omaha Barracks, Neb., on or about June 6th, 1871.

CHARGE 2-Desertion.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Guilty.

SENTENCE.—"To forfeit to the United States all pay and allowances now due or to become due; to be indelibly marked with the letter D, one and a half inches in length, on the left hip; to be confined at hard labor in charge of the gnard, for eighteen mouths; and at the end of that time to be drammed out of the United States' service."

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to eight months.

As mitigated, the scatence will be duly executed.

2d. Private James Brogan, Company A, 9th Infantry.

CHARGE—Desertion.

PLEA—To the specification—Guilty, except the words "ap-

prehended in Omaha."

To the charge-Guilty.

FINDING—Of the specification—Guilty, except the words "apprehended in Omaha."

Of the charge—Guilty.

SENTENCE—"To forfeit to the United States of pay (1) above ances now due or that may become due; to be confined at helabor under charge of the guard for the period of six months; and at the end of that period to be indelibly marked on the left hip with the letter D, one and a half inches in length, and drummed out of the United States' service."

In this case the prisoner asserts, and the Court in its findings under the specification virtually admits, that he surrendered himself to the authorities after an unlawful absence of four days. It is a belief with the Department Commander, and one which has its foundation both in policy and justice, that the offense even of desertion, when so soon repented of and aroned for, should be dealt with leniently.

The proceedings and findings are approved. The sentence is also approved, but mitigated so as to read:

To forfeit to the United States all pay and allowances due, and ten dollars per mouth for four months; and to be confined at hard labor in charge of the guard for two months.

As modified, the sentence will be duly executed.

3d. Private James Kelly. Company A, 9th Infantry.

CHARGE- Descrion.

PLEA - Guilty.

FINDING -Guilty.

SENTENCE-" l'o forfeit to the United States all pay and allowances now due or that may become due; to be indelibly marked on the left lup with the letter D one and a half inches long; to be conflued at hard labor under charge of the guard for the period of one year, and at the end of that time to have his head shaved and be drummed out of the United States' service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private James Bowley. Company I, 5th Cavalry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Gnilty.

SENTENCE- 'To forfeit to the United States all pay and allowances now due or that may become due; to be indelibly marked on the left hip with the letter D one and a half inches long; to be confined is hard labor under charge of the guard for the period of eight months; and at the end of that time to be drummed out of the United States' service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed,

5th, Private Charles P Murphy, Company C, 9th Infantry, CHARGE 1-Vio'a jon of the 50th Article of War.

CHARGE 2-Conduct to the prejudice of good order and military discipline.

Specification-In that Private Charles P Murphy, Company C, 9th Infantiv, being on duty as corporal in charge of the guard on the 26th of July, 1871, did improperly and without lawful authority, permit the members of the guard to absent themselves from the guard tent during the night of the 26th of July, 1871.

This at or near Camp Ruggles, Neb.

PLEA-Guilty.

FINDING-Of the 1st charge and specification-Not Guilty. Of the 2d charge and specification-Guilty.

SENTENCE—" To forfeit to the United States five dollars of his monthly pay for the period of one month.

The Court is thus lenient owing to the previous good character of the accused, and the fact that he has already been severely panished for the offense of which he has been found guilty."

The proceedings, findings, and sentence in this case are approved.

The accused erred in assuming the responsibility, without the permission of his Commanding Officer, of transferring his guard from the guard 'ent to the commissary building, notwirbstanding the condition in which the former had been put by the violent tempest then raging. But it was an error of judgment merely and in no degree impairs his general character for high soldierly excellence to which the officers who know him bear witness.

The sentence is remitted, Private Marphy will be restored to duty.

H. Before a General Coart Martial which convened at Camp Donglas, U. T., pursuant to Paragraph I, Special Orders No. 124, current series from these Hendquarters, and of which Colonel P. R. de Trobriand, 13th Infantry, is President, and Captain Alfred L. Hough, 13th Infantry, Judge Advocate, were arraigned and tried:

18t. Private Oliver Ainsworth, Company I, 13th Infantry.
Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Oliver Ainsworth, Company I, 13th Infantry, did unlawfully and without authority break into the quartermaster's store house at Camp Douglas, U. T., and did feloniously steal, take and carry away from thence seven sides of whang leather and two hundred pounds of harness leather, more or less, the property of the United States. This at Camp Douglas, U. T., on or about the 20th day of March, 1871.

Specification 2—In this, that he did unhawfully and without authority, sell to one William Gorringe, seven sides of whang leather and two lumdred pounds of lumness beather, more or less, the property of the United States. This at or near Camp Douglas, U. T., on or about the 29th day of March, 1871.

Specification 3-In this, that he did unlawfully break into the quartermaster's store-house at Camp Douglas, U. T., and did

feloniously take, steal, and carry away from thence forty-four and one-eighth yards of six-fourths dark blue cloth, twentyeight and one-half yards of three-fourths dark blue cloth, fiftyone and one-half yards of bleached muslin, all the property of the United States; which articles he, Private Oliver Museorth, Company I, 13th Infantry, did unlawfully sell and dispose of, to one Thirk!

All this at or near Camp Douglas, U. T., on or about the 17th day of June, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—"To forfelt to the United States all pay due or that may become due, except the just dues of the laundress; to be dishonorably discharged from the service; and to be confined in such penitentiary as the reviewing authority may direct, for the period of three years."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

2d, Private John S. B. Fatterson, Company 1, 13th Infantry, Charge 1—Conduct to the prejudice of good order and mili-

tary discipline.

Specification 1—In this that he, Private John S. B. Putterson, Company 1, 13th Infantry, did, on or about the 20th day of March, 1871, feloniously add and aber Private Oliver, Amsourth, Company I, 13th Infantry, in breaking into the quartermaster's store-house at Camp Douglas, U. T. and did take, steal, and carrying away from said store-house of seven sides of whang leather, and two bundred pounds of harness leather, more or less, the property of the United States, valued at one hundred dollars.

Specification 2—In this that he, did, on or about the 20th day of March, 1871, wrongfully aid and abet Private Oliver Ainsworth, Company I, 13th Infantry, in selling and disposing of, to one William Gorringe, citizen, seven sides of whang leather, and two hundred pounds of harness leather, more or less, the property of the United States, knowing them to be such, valued at one hundred dollars.

CHARGE 2-Desertion.

PLEA-To the 1st charge and specifications-Not Guilty.

To the 2d charge and specification-Guilty.

FINDING-Of the 1st specification 1st charge—Guilty, except the words "take, steal, and carry away and," and

of the excepted words—Not Guitty.

Of the 2d specification 1st charge—Guilty.

Of the 1st charge—Guilty.

Of the specification 2d charge—Guilty.

Of the 2d charge—Gniev.

SENTENCE—"To forfelt to the United States all pay due or that may become due, except the just dues of the laundress; to be dishonorably discharged from the service, and to be confined in such penitentiary as the reviewing authority may direct for the period of three years."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, lows, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the Warden of the penitentiary with a copy of this order.

III.—Before a General Court Mar.ial, which convened at Camp Camerro, Neb., pursuant to Paragraph 5, Special Orders Ni 134, entrent series from these Hendquarters, and of which Captain Edwin Pollock, 9th Infantry, is President, and Assistant Surgeon Charles Mackin, Medical Dep rument. Jindge Advocate, were arraigned and tried:

1st, Sergeant Joseph Clark, Company E. 9th Infantry.

CHARGE—Violation of the 23d Article of War, PLEA—To the 1st specification—Guilty.

To the 2d specification—Not Guilty.

To the 3d specification—Not Guilty,

To the charge-Not Guilty.

FINDING-Of the 1st specification-Guilty,

Of the 2d specification-Guilty.

Of the 3d specification—Guilty, except the words "to procure a passage to the East," and of the excepted words—Not Guilty.

Of the charge-Guilty.

SENTEXCE—"To be reduced to the rank of a private soldier, to be confined unfor charge of the guard at the post where his company may be serving, wearing a ball, weighing twenty pounds, attached to his left log by a chain two feet long, for a period of ten months, to forfeit all pay that may become due except the just dues of the laundress, during the same period; and at the expiration of said period to be dishonorably discharged the service of the United Stares.

In this case the proceedings and findings are approved.

The prisoner admits having on one occasion proposed to Private Ash to desert the service, but denies having done so subsequently. Private Ash testifies that he made two later attempts to pursuade him to desert.

The two men sworn by Ash to have been present at and sharing in the second conversation between Ash and the prisoner, have since deserted; and at the third, Ash asserts that no others were present. Under this state of proofs, the revlewing authority is remetant to enforce the sentence in all its severity against a prisoner whose means of defence may have been taken from him by the desertion of O Donnell and O Connell. It is very clear, however, that he has, by his own admission, forfeited all present claims to confidence or trust, and can no longer be permitted to hold the responsible position of a non-commissioned efficer.

The sectence is approved but intigated to read as follows:

To be reduced to the ranks; to forteit ten dollars of his pay per month for three months; and to be confined under charge of the guard, wearing a ball weighing twenty pounds attached to his left leg by a five-foot chain for the same period.

As modified, the sentence will be duly executed.

²d. Privato Charles C. Glark, Company C. 2d Cavalry.

Charge-Disobedience of orders.

Specification-In that he, Private Charles C. Clark, Company

C. 2d Cayalry, being ordered by his Company Commander, Captain E. J. Spaulting, 2d Cayalry, to make a copy of a map of 1st Lieutenant T. J. Greggs line of march to Fort Hayes, Kangas, did, though well able to do so positively and wilfully refuse to obey said order. This at Camp Cameron, Nebraska, on or about July 23d, 1871.

PLEA-Guilty.

FINDING-Gniity.

SENTENCE, -- To be confined at hard labor under charge of the guard at the post whe e his sompany may be serving, wearing a twenty-pound piece of iron, attached to his left beg by a chain five feet long, for the period of six months; and to forfelt to the United States ail of his monthly pay except the just dues of the laundress, for the same period."

In this case the proceedings, with a single exception, are approved.

A prisoner who pleads guilty should not be permitted to open a defence to the charges by calling and examining witnesses, as if he had pleaded not guilty; for he admits by his plea that he has no defence. Of course the Court is at liberty to direct the Judge Advocate to call such witnesses as it may desire for its better understanding, notwithstanding such plea of the accused, and should do so if it has reason to believe in the existence of extenuating or explanatory circumstances; or if it sees that the accused is so ignorant or so dull as to be throwing away his case. The only point to which a prisoner is entitled to offer testimony after admitting his guilt by plea, is his past general character. The Court cannot go into this question unless first opened by the prisoner; but should the latter do this, testimony in rebuiltil may then be introduced by the Judge Advocate or called for by the Court.

The prisoner, in this case, while admitting the facts alleged in the specification, claims that the order which he disobyed was not a legal order. To entitle him to offer the evidence bearing on this point, which is now excepted to as having been erroneously admit ed, he should have pleaded guilty to the specification and not guilty to the charge.

An enlisted man cannot, of course, be prevented from refusing to obey an order given him by his officer; but in so doing he acts at his peril. It his refusal is without justification, he deserves and receives punishment. The order received by the prisoner in this case was clearly lawful, and should have been at once obeyed.

The findings and sentence are approved, but the sentence is mitigated to read as follows:

To be confined at hard labor in charge of the guard at the post where his company may be serving. for the period of six months, and to forfeit to the United States five dollars per month of his pay for the same period.

As modified, the sentence will be duly executed.

3d. Private Charles F. Feltham, Company C. 2d Cavalry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING—Of the specification—Guilty; except the words
"when on such duty," and of the excepted words
—Not Guilty.

Of the charge-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard at the post where his company may be serving, wearing a ball, weighing twenty pounds, attached to his right leg by a chain five feet long, for the period of sixty days."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

4th. Private John Daly, Company C, 2d Cavalry. CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Of the specification-Guilty; except the words "when on such duty," and of the excepted words-Not Guilty

Of the charge-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard at the post where his company may be serving, wearing a ball, weighing twenty pounds, attached to his right leg by a chain five feet long, for the period of sixty days." The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES.

Assistant Adjutant General

OFFICIAL.

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G. C. M.

FORT FRED. STEELE.

- 1. Privage Harson Kelly, Company H, 13th Infantry.
- V 2. Private John Donohue, Company H, 13th Infantry.
- Private James Drishrow. Company A, 2d Cavalry.
- 4. Private Thomas Hayes, Company H, 13th Infantry 5. Private Joseph E. Best, Company A, 13th Infantry.
- Camp Douglas.
- 1. Corporal Edward Carey, Company I, 13th Infantry.
- 2. Private Richard Doran, Company G, 13th Infantry.
- 3. Private John Myers, Company A, 7th Infantry.

OMAHA BARRACKS.

/ 1. Corporal Reese H. Long, Company K, 2d Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, August 23, 1871.

No. 53.

I.—Before a General Court Martial which convened at Fort Fred. Steele, W. T., pursuant to Paragraph 2, Special Orders No. 120, current series from these Headquarters, and of which Lieu-tenant Colonel Henry A. Morrow, 13th Infantry, is President, and 2d Lieutenant Jesse C. Chance, 13th Infantry, Judge Advocate, were arraigned and tried:

1st. Private Hanson Kelly, Company H, 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—"To forfeit to the United States all pay due or that may become due, to be confined at hard labor under charge of the guard for the period of nine months, at the expiration of which time to be dishonorably discharged the service of the United States." The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private John Donohue, Company H. 13th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE.—"To forfeit to the United States all pay due or that may become due, to be confined at hard labor under charge of the guard for the period of nine mounts, at the expiration of which time to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private James Drisbrow, Company A, 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit all pay and allowances due or to become due, and to be dishonorably discharged the service of the United States.

The Court is thus lenient for the reason that the prisoner is a man of so weak mind as to be, in the judgment of the Court, irresponsible for his acts and unfit for the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Thomas Hayes, Company H, 13th Infantry.

Charge 1-Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Thomas Hayes, Company II, 13th Infantry, has been, during the months of June and July, constantly under the influence of intoxicating liquor, and has, without Just provocation, quarreled with and abused by insulting language, several of the privates of his company, to wit: Privates D. Skannon. Euright, and others. All this with the avowed purpose of procuring his discharge from the service, sarlury: "If after trying to get up discharge, and I will try to get

my discharge." This at Fort Fred. Steele, W. T., during the months of June and July, 1871.

Specification 2-In this that he, Private Thomas Hayes, Company H, 13th Infantry, did, in the company quarters, without provocation, call Sergeaut William H. Bentley, Company H. 13th Infantry, in the presence of the said, Sergeant Bentley, and many of the company, "A damned cur." This at Ford Fred Steele, W. T., on the 24th day of July, 1871.

Specification 3-In this that he, Private Thomas Huyes, Company H. 13th Infantry, did knowingly falsely accuse Privates D. Shannon and John F. Enright of the same company, of theft; saving to them, without just or reasonable foundation for the charge, "You have stolen my checks," or words to that effect, and did enter into and foment a quarrel with the said Private Enright in the company quarters; thereby disturbing the peace and quiet of his company. This at Fort Fred. Steele, W. T., on the 24th day of July, 1871.

Specification 4--In this that he, Private Thomas Haues, Company II, 13th Infantry, did, in and upon the person of Private John F. Enright, Company H. 13th Infantry, violently make an assault, and did endeavor to rob him, said Private Enright of checks, his (Enright's) private property, of the value one dollar. All this at Fort Fred. Steele, W. T., on or about the 24th day of July, 1871.

PLEA-To the 1st specification-Guilty, except the words, "Has been during the months of June and July constantly under the influence of intoxicating liquor."

To the 2d specification-Guilty.

To the 3d specification-Guilty.

To the 4th specification-Guilty.

To the charge-Guilty.

FINDING-Of the 1st specification-Guilty, except the word "constantly."

Of the 2d specification-Guilty.

Of the 3d specification-Guilty.

Of the 4th specification-Guilty. Of the charge-Guilty.

SENTENCE-"To be confined at hard labor under charge of the guard for the period of thirty days, and then to be dishonorably discharged the service of the United States,"

The proceedings and findings in this case are approved. That portion of the sentence which inflicts dishonorable discharge, is disapproved, this being alleged in the specification to have been the avowed motive of the prisoner's misconduct. To enforce this portion of the sentence would be to offer a premium for insubordination and drunkenness. The remainder of the sentence is approved and confirmed, and will be duly executed.

5th. Private Joseph E. Best, Company A, 13th Infantry.

CHARGE—Desertion, PLEA—Guilty,

FINDING—Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due, and to make good the time lost by desertion.

The court is thus lenier to account of the prisoner's previous good character, his voluntary surrender, and his evident repentance of his crime."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

H..Before a General Court Martial which convened at Camp Douglas, U. T., pursuant to Paragraph 1, Special Orders No. 124, current series from these Headquarters, and of which Colonel P. R. De Trobriand, 13th Infantry, is President, and Captain Alfred L. Hough, 13th Infantry, Judge Adveate, were arraigned and tried;

1st. Corporal Edward Carey, Company I, 13th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be reduced to the rank of a private sentinel and to be confined at hard labor under charge of the guard for the period of two months."

In this case the first witness against the prisoner testified to seeing him gambling in the guard room on the day alleged. The next witness for the prosecution was not interrogated by the Judge Advocate on this point. The prisoner then re-called this latter witness as his own, and asked him: "Did you see me gambling on the day specified?—"I did"—" What part of the guard house was it in?—The Court ruled out this latter question as irrelevant, on the objection of a member.

The objection was not well taken, and the action of the court was harsh and might have greatly injured the prisoner's defence. It is not impossible (though not conceivable in the present case) that the prisoner knew, the first witness to be wilfully or inadvertently in error in his statement, and made the second witness his own for the express purpose of showing the error, and thereby discrediting, or at least shaking, the rest of the evidence of the first. Assuming for the moment that the first witness was testifying falsely, the court prevented the defence from showing this by excluding the question quoted above, for the two witnesses might have contradicted each other on the point. On general principles therefore the exclusion of the question was in violation of the established rules of evidence. Of course no imputation is intended against the first witness in this particular case; the assumption of his falsity being merely argumentative.

With the foregoing exception the proceeding, findings, and sentence are approved and confirmed, and the sentence will be duly executed.

2d. Private Richard Doran, Company G, I3th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings, and sentence in this case are approved.

In consideration of the prisoner's voluntary surrender the forfeiture of pay is remitted. As mitigated, the sentence will be duly executed.

The forfeiture of all pay and allowances due at date of prisoner's return from desertion results from the operation of law, and

the Court properly refrained from including it in the provisions of the sentence.

3d. Private John Myers, Company A, 7th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Gnilty.

SENTENCE—"To torfeit to the United States ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard at Camp Donglas, U. T., for the same period."

The proceedings, findings, and sentence in this case are approved.

The prisoner's voluntary return took place after the lapse of too much time to afford much reason for supposing it to have been the result of regret for his crime. Mainly, therefore, on the ground of his past excellent character and faithful service, and the want of pre-meditation and deliberation in his act, the fine is mitigated to five dollars per mouth.

As modified, the sentence will be duly executed.

III. Before a General Court Martial which convened at Omaha Barracks, Neb, pursuant to Paragraph I. Special Orders No. 95. current series from these Headquarters, and of which Colonel Ianis N. Palmer, 2d Cavalry, is President, and 2d Lientenant John H. Coale, 9th Infantry, Judge Advocate, were arraigned and tried:

1st. Corporal Recse H. Long. Company K, 2d Cavalry.

Charge-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—"To forfelt to the United States all pay and allowances now due or to become due; to be confined at hard labor in charge of the guard for six months; and at the end of that time to be indelibly marked with the letter D one and a half inches long, on the left hip, and drummed ont of the service of the United States."

The proceedings, findings, and sentence in this case are approved, but the imprisonment is remitted. The remainder of the sentence will be duly executed.

IV.-The General Court Martial convened at Onaba Barracks, Neb., pursuant to Paragraph I, Special Orders No. 95, current series from these Headquarters, and of which Colonel I. N. Palmer. 2d Cavalry, is President, and 2d Lientenant John II. Code, 9th Infantry, Julge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: GEO. D. Ruggles,

Assistant Adjutant General

OFFICIAL.

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FORT LARANIE.

The Peter Riley, Company I, 14th Infantry.

- 2. Private Philip Backert, Company B, 14th Infantry.
- V3. Private Patrick Hickey, Company I, 14th Infantry.
- 4. Private William H. Conley, Company M, 5th Cavalry.
- 5. Private John Manley, Company M, 5th Cavalry.
- 6. Private George Hague, Company B, 14th Infantry.
- 7. Private George House, Company B. 14th Infantry.
- 1 8. Private John H Moore, Company B, 14th Infantry.
- 9. Private John M. Brakey, Company A. 14th Infantry.
- 10. Private Perry Henry, Company A, 14th Infantry.
- 6 11. Private Thomas M. Ort, Company I, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha Nebraska, August 29, 1871,

GENERAL ORDERS, No. 54.

1871

1.-Before a General Court Martial which convened at Fort Laramie, W. T., pursuant to Paragraph 2. Special Orders No. 141, current series from these Headquarters, and of which Captain Augustus H. Brübridge, 14th Infantry, is President, and Assistant Surgeon Robert M. O Reitly, Medical Department, Judge Advocate, were arraigned and tried:

1st. Private Peter Riley, Company I, 14th Infantry.

CHARGE 1-Desertion.

CHARG& 2—Theft, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To furfeit all pay and allowances now due or that may become due; to have his head shaved; to be indelibly marked with the letter D two inches long, on the left hip; to be dishonorably discharged the service of the United States; to be drummed out of the service; and to be confined for the period of two years in such penitentiary as the Commanding General may direct."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

2d. Private Philip Backert, Company B, 14th Infantry.

CHARGE-Violation of the 46th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the gnard for six months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved; but the sentence is modified to read "three months" instead of "six months," and as mitigated will be duly executed.

3d. Private Patrick Hickey, Company I, 14th Infantry.

CHARGE 1—Sleeping on post, in violation of the 46th Article of War.

CHARGE 2-Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—"To forfelt to the United States ten dollars per month of his monthly pay for the period of six months; and to be confined under charge of the gnard for the period of eight months; the first seven days of each month to be spent in solitary confinement on bread and water diet, and the remainder of the time to be spent at hard labor."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private William H. Conley, Company M, 5th Cavalry.

CHARGE—Disobedience of orders, in violation of the 9th Article of War.

PLEA-To the 1st specification—Guilty, except the words "being regularly detailed and on duty in the Quartermaster's Department as carpenter;" and of the excepted words—Not Guilty.

To the 2d specification—Guilty, except the words "being regularly detailed and on duty in the Quartermaster's Department as carpenter;" and of the excepted words—Not Guilty.

To the charge-Not Guilty.

FINDING-Of the 1st specification—Guilty, except the words "regularly detailed and;" and of the excepted words—Not Guilty.

Of the 2d specification—Guilty, except the words "regularly detailed and;" and of the excepted words—Not Guilty.

Of the charge-Guilty.

SENTENCE—"TO be confined at hard labor under charge of the guard for the period of three calcular months, and to forfelt to the United States ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved.

The past character of the prisoner being sworn to by his company commander as very good, it is not improbable he believed he was justified in what he did. The sentence is therefore ultigated to confinement for one mouth and forfeiture of ten dollars of his pay; and as modified will be duly executed.

5th. Private John Manley, Company M, 5th Cavalry.

Charge—Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined under charge of the guard for the period of two months; the first seven days of each month to be spent in solitary confinement on bread and water diet, the remainder of the time to be spent at hard labor."

The proceedings, findings, and sentence in this case are approved. The solitary confinement and bread and water diet are remitted. As mitigated, the sentence will be duly executed.

6th, Private George Hague, Company B. 14th Infantry,

CHARGE-Descriton.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances that are or may become due him except the just dues of the lanndress and the necessary clothing; to be indebbly matked on the left hip with the letter D two and a half inches long; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

7th. Private George House, Company B, 14th Infantry.

CHARGE-Desertion.

PLEA-Gnilty.

FINDING-Gnilty.

SEXTENCE—"To be confined at hard labor in charge of the guard for the period of two years; to forfelt to the United States all pay and allowances that are or may become due him except the just dues of the laundress and the necessary clothing; to be indelibly marked with the letter D two and a half inches long on the left hip and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and be drummed out of the service.

The Court is thus lenient in consideration of the youth of the accused."

The proceedings, findings, and sentence in this ease are approved and confirmed, and the sentence will be duly executed.

8th. Private John H. Moore, Company B, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve-pound ball attached to one of his legs by a chain is feet long; to forfeit to the United States all pay and allowances due, or that may become due him, except the Just dues of the laundress and necessary clothing; to be indelibly marked with the letter D, two and a half inches long, on the lett hip; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shared, and be drummed out of the service."

The proceedings, findings, and scattence in this case are approved.

In consideration of the testimony to the prisoner's past steady character, the term of imprisonment is reduced to six months, and the shaving of the head is remitted. As mitigated, the sentence will be duly executed.

9th. Private John M. Brakey, Company A. 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve-pound ball attached to one of his legs by a chain six feet long; to forfelt to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and necessary clothing; to be indellibly marked with the letter D. two and a half inches long, on the left hip; and at the expiration of his term of confinement to be dishonorably discharged; to have his head shaved, and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved, but in view of the testimony to the prisoner's past good character, the term of confinement is reduced to fifteen months. As modified, the sentence will be duly executed.

10th. Private Perry Henry, Company A, 14th Infantry.

Charge-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve-pound ball attached to one of his legs by a chain six feet long; to forfiel to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and necessary clothing; to be indelibly marked with the letter D, two and a half inches long, on the left hip; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved, but in view of the testimony to the prisoner's past good character, the term of confinement is reduced to fifteen months. As mitigated, the sentence will be duly exceuted.

11th. Private Thomas M. Ort, Company I, 14th Infantry.

CHARGE-Descrition.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be coulined at hard labor in charge of the guard for the period of two years, wearing a twelve-pound ball attached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and necessary clothing; to be indelibly marked on the left hip with the letter D. two and a half inches long, and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drammed out of the service."

The proceedings, findings, and sentence in this ease are approved, but the term of confinement is reduced to eighteen months. As mitigated, the sentence will be duly executed.

By Command of Brigadier General Augur: Geo, D. Ruggles,

Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp .



HEADQUARTERS DEPARTMENT OF THE MIATTE.

GENERAL ORDERS, No. 55.

I... The action of the Department Commander, approving and confirming the findings and sentence in the case of Private John Ford, Company I, 2d Cavalry, as published in General Orders No. 37, Headquarters Department of the Platte, June 2, 1871, is bereby rescinded, and the findings and sentence in the case are disapproved, in accordance with the opinion of the Judge Advocate General, of which the following is an extract:—

"To justify the findings, it is undoubtedly necessary that there should be satisfactory proof of the consent of the soldier to the implied agreement or understanding, which he is accused in the speci-

fication of violating.

The prisoner denies that he knew of such agreement, and there is no proof of notice to him, to overcome this denial; while it is affirmatively shown that he did not obtain from his company commander, his approval of the checks as alleged in the specification but that the checks were signed by this officer without the solicitation of the prisoner, after credit had been given on them by the Trader.

Captain Noyes testifies also that the agreement was that he would approve credit within a certain limit, and that the aggregate amount of Private Ford's checks during the time laid in the specification, exceeded this limit. So that it is not improbable that the portion of indebtedness which he failed to pay was not at all within the terms of the agreement whether he knew of it or not."

Accordingly, the fine imposed upon Private Ford will be refunded on the next pay-roll of his company.

In all similar cases hereafter, it must appear in evidence that the signature of the Company commander, upon the order or check given the Post trader by the soldier, was obtained before, not after, the use of said check in the purchase of goods. The method adopted by the Company commander in the case in question, (a method wholly without precedent so far as known,) of signing his men's checks at the end of the month, under a special agreement with the Trader, cannot be permitted. Nor may the Company commander in any case sign such checks in blank. Company commander agrather cautioned against encouraging their men in the incurring of considerable debts by purchase of goods on credit.

Inasmuch as in the present state of the law, as well as by the express order of the Secretary of War, Post Traders are not permitted to collect at the pay table, either directly or indirectly, debts due them from enlisted men, the form of the check used in Ford's case is objectionable, and the following is to be preferred:—

In consideration of his approval and endorsement, I hereby promise the Commanding Officer of my Company, Captain A.—B.—, Co. —, — Reg't. of —, that I will pay to C.— D.—, Post Trader, immediately after my next payment, by the Paymaster, the sum of — dollars, for value received.

Approved:

II...Commanding officers of posts are advised that the practice of granting seven days leave to officers, with authority, at the expiration thereof, to take advantage of leaves already granted from Department or superior Headquarters, is irregular and will be discontinued.

III...Commanding officers sending prisoners to the Fort Madison penitentiary, Iowa, will cause the Adjutant General of the Department to be notified, by telegraph, one day in advance of the arrival of the guard at Omaha, to the end that detention of the party enroute may be obviated by sending trasportation to meet it at the depot in this city.

IV...General Orders No. 7, current series from these Headquarters, announcing the military reservation of Fort Rawlins, Utah Territory, is hereby revoked.

By Command of Brigadier General Augur:
GEO. D. RUGGLES,

OFFICIAL:

Assistant Adjutant General.



G. C. M.

Room 5 3

FORT D. A. RUSSELL.

1. Private Samuel Devine, Company C, 14th Infantry.

FORT BRIDGER.

1. Private James Minehon, Company F, 13th Infantry.

2. Private Albert L. Beardsley, Company G. 13th Infantry.

CAMP STAMBAUGH.

1. Private William Wynne, Company K, 13th Infantry.

V2. Private John Riley, Company B, 2d Cavalry.

3. Private William B. Henneberger, Company B, 2d Cavalry, FORT MCPHERSON.

1. Private William Armstrong, Company H, 5th Cavalry.

2. Private George E. Wilson, Company II, 5th Cavalry.

3. Private Philip W. Hillsman, Company II. 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska. September 1, 1871.

No. 56.

1. Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 1, Special Order, No. 127, current series from these Headquarters, and of which Captain Philip A. Orea, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Samuel Devine, Company C, 14th Infantry.

CHARGE—Desertion. PLEA—Guilty.

FINDING-Guilty.

SENTENCE.—. To forfeit to the United States all pay and allowances now due or to become due him; to be indelibly marked on the left hip with the letter D two and one-half inches long; to be allshonorably discharged the service of the United States; to have his head shaved and then to be drummed out of the garrison." The proceedings, findings, and sentence in this case are approved. In view of the prisoner's excellent character as a soldier for seven years, and the unanimous recommendation of the members of the Court, the sentence is mitigated to two month's confinement under guard, and as modified will be duly executed.

The forfeiture of pay and allowances to the date of apprehension, results from the operation of law.

II. Before a General Court Martial which convened at Fort Bridger, W. T., pursuant to Paragraph 3. Special Orders No. 146. current series from these Headquarters, and of which Major Robert S. LaMotte, 13th Infantry, is Pre-ident, and Assistant Surgeon Joseph K. Corson, Medical Department, Judge Advocate. were arraigned and tried:

1st. Private James Minehon, Company F, 13th Infantry.

CHARGE-Abscuce without leave.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for the period of two months, and to be confined at hard labor in charge of the gnard for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

2d. Private Albert L. Beardsley, Company G, 13th Infantry. CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—1n this that he, Private Albert L. Beardsley, Chappany G, 13th Infantry, having been properly detailed under, the provisions of a communication dated, Headquarters Department of the Platte, Omaha, Nebraska, April 5th, 1871, (said communication anthorizing the detail of reliable privates to perform the duties required in General Orders No. 23, current series from those Headquarters) and having been duly warned at retreat roll-call of the second day of August, 1871, for duty as room orderly, to perform the duties ordered in Paragraph 3, General Orders No. 23, current series, Headquarterters Department of the Platte; did absent himself from his company and quarters

without permission from proper anthority, after retreat of the 2d day of Angust, 1871, and did remain absent mitil after reveille of the 2d day of Angust, 1871, thereby neglecting his duty of guarding arms and accontrements in his squad room. This at Fort Bridger, W. T., on the dates above specified.

Speculcation 2—In this that he, Private Albert L. Bearbate, Company G, 13th Infantry, when ordered to be confined in the post gnard honse, did, without just cause and provocation, strike 1st Sergeant John Heuttenmeller. Company G, 13th Infantry, the latter being in the execution of his daty) at the same time making use of the following disrespectful language, to-wit: "You will put me in the guard house, you d—d son of a b—h," or words to that effect.

This at Fort Bridger, W. T., on the morning of the 3d day of August, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENIEXCE—"To be confined in charge of the guard for the period of two months, the first five days in solitary confinement on bread and water, and the remainder of the timeat hard labor; and to forfeit to the United States ten dollars per month of his shoulthy lap for the period of two months."

The proceedings, findings, and sentence in this ease are approved, and confirmed, and the sentence will be duly executed.

The prisoner is shown by the testimony of his company commander to be in general an excellent and steady soldier. This was, no donbt, taken partially into consideration by the Conrt in measuring the punishment for his very grave offense.

III. Before a General Court Martial which convened at Camp Stambaugh, W. T. pursuant to Paragraph 2, Special Orders No. 121, enrent series from these Headquarters, and of which Major Edicin F. Tomsend, 9th Infantry, is President, and 2d Liententant John B. Gutkrie. 13th Infantry, Judge Advocate, were arraigned and tried:

CHARGE 2-Violation of the 46th Article of War. PLEA-Guilty.

¹st. Private William Wynne, Company K, 13th Infantry. Charge 1—Drunkenness on duty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for the period of four months, and to forfeit to the U.S. Government tea dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence is this case are approved and confirmed, and the sentence will be duly executed.

2d. Private John Riley. Company B, 2d Cavalry.

CHARGE 1-Disobedience of orders.

Specification—In this that he, Private John Riley, Company B, 2d Cavalry, when ordered to go to his company quarters, by his company commander, did disobey said order. This at Camp Stambaugh, W. T., on the 17th day of August, 1871.

CHARGE 2-Absence without leave.

PLEA-Not Gnilty.

FINDING-Of the 1st charge and specification-Guilty.

Of the 2d charge and specification—Not Guilty:

SENTENCE.—4. To be confined at hard labor under charge of the guard for the period of five mouths, and to forfeit to the United States, ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "three months" instead of "five months," and, as mitigated, will be July executed.

3d. Private William B. Henneberger, Company B, 2d Cavalry.

CHARGE 1-Desertion.

Charge 2.—Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now due, or that may become due him, except the just dues of the laundress; and to be confined in such penifentiary as the Commanding General of the Department may direct, for the period of two years."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard, and turned over to the warden of the penitentiary with a copy of this order.

IV. Before a General Court Martial which convened at Fort McPherson, Neb., pursuant to Paragraph 5, Special Orders No. 143, current series from these Headquarters, and of which Major Eugene A. Carr, 5th Cavalry, is President, and 2d Licutenant Earl D. Thomas, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private William Armstrong, Company II, 5th Cavalry.

CHARGE 1—Drunkenness on duty, in violation of the 45th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private William Armstrong, Company H, 5th Cavalry, when hawfully ordered to the guard tent by Sergeant Simuel Thompson, Company H, 5th Cavalry, did positively refuse to go, and did say; "I'll be d—d if I will go, and you have not got the sand to take me there, you G—d—d—d son of a b—, you G—d d—d bastard;" or words to that effect. All this at or near Plum Creek Station, Nebraska, on or about the 18th day of July, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SEXTENCE—"To be confined at hard labor in charge of the guard for the period of two months, and to forteit to the United States the sum of five dollars of his mouthly pay during the same period of time."

he proceeding, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private George E. Wilson, Company H, 5th Cavalry.

Charge 1—Drunkenness on duty, in violation of the 45th Article of War.

Charge 2—Assault with intent to kill, to the prejudice of good order and military discipline.

Specification 1—In this that he, Private George E. Wilson, Company H, 5th Cavalry, did with malice aforethought and with intent to kill, fire one shot from a Colt's revolver through his tent in the direction of the picket line of a detachment of Company H, 5th Cavalry, the said shot having been fired at Private John Bennon, Company H, 5th Cavalry, thereby endangering the lives of the non-commissioned officers and privates of said detachment, they being on duty at or near the picket line grooming their horses. All this at or near Plum Creek Station, Nebraska, our about the 14th day of July, 1871.

Specification 2—In this that he, Private George E. Wilson, Company II, 5th Cavalry, did without cause or provocation whatever, assault Private John Bannon Company II, 5th Cavalry, with a Colt's revolver, pursuing said Bannon, and saying: "Where is that son of b—h of a Bannon," or words to that effect; and thereupon with aforethought and malice, did, with intent to kill, fire three shots from said Colt's revolver at said Private Bannon. All this at or near Plum Creek Station, Nebraska, on or about the 14th day of July, 1871.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specifications—Not Guilty.
Finding—Of the specification 1st charge—Guilty.

Of the 1st charge—Guilty.

Of the 1st specification 2d charge—Guilty, except the words, "with malice aforethought and," and of the excepted words—Not Guilty.

Of the 2d specification 2d charge—Guilty, except the words, "without cause or provocation whatever," and the words, "with aforethought and malice and," and of the excepted words—Not Guilty.

Of the 2d charge—Guilty.

SENTENCE—"To forfeit all pay now due or that may become due except the just dues of the laundress; to be dishonorably

discharged the service of the United States; to be confined in such penitentiary as the Commanding Officer of the Department shall determine, for one year."

The proceedings, findings, and sentence in this case are approved, but in deference to the recommendation of the members of the court the sentence is mitigated to confinement at hard labor in charge of the guard for three months, and forfeiture of eight dollars per month of his pay for the same period; and as modified will be duly executed.

3d. Private Philip W. Hillsman, Company II, 5th Cavalry.

CHARGE—Negleet of duty, to the prejudice of good order and and military discipline.

Specification—In this, that Private Philip W. Hillsman. Company II, 5th Cavalry, did allow a prisoner. Private Joseph Neltan, Company II, 5th Cavalry, consigned to his charge to escape. This on the night of the 9th of August, 1871, while on duty as escort enroute from Fort Kearny. Neb., to Fort MePherson, Nebraska.

PLEA-Not Guilty.

FINDING-Guilty.

SEXTEXEE:—"To be confined at hard labor in charge of the, guard for two months, and to forfeit to the United States five dollars per month of his monthly pay for the same period; and at the expiration of the sentence to be dishonorably discharged the service of the United States."

The proceedings in this case are approved. The testimony, however, shows that the neensed was not regularly posted as a sentinel by the corporal, nor did he regularly receive his instructions as such. The responsibility therefore for the escape of the prisoner in charge of the guard, it would seem, should be divided with the officer in charge of the detachment, who should have seen that the guard duty was properly performed; and with the corporal, who should have regularly posted the sentiacl and have seen that he was properly instructed.

The sentence is therefore mitigated to read as follows:

To be confined at hard labor in charge of the guard for one month, and to forfeit to the United States five dollars of his monthly pay.

As modified, the sentence will be duly executed.

V. The General Court Martial convened at Fort Fred. Steele, W. T., pursuant to Paragraph 2, Special Orders No. 120, current series from these Headquarters, and of which Lieutenant Colonel Henry A. Morrow, 13th Infantry. is President, and 2d Lieutenant Jesse C. Chance, 13th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General

OFFICIAL.

Aide-de-Camp.



G. C M.

FORT FETTERMAN.

- v.A. Private Joseph Gould, Company D. 14th Infantry. 2. Private Henry Zander, Company D, 14th Infantry.
- . 3. Private Alcaro Smith, Company D, 14th Infantry.
- 4. Private Gottfried Schweitzer, Company D, 14th Infantry.
- . 5. Private James Callaghan, Company D. 14th Infantry,
- 6. Private James Coyle, Company D, 14th Infantry.
- 7. Private John W. Umphrey, Company D. 14th Infantry.
 - 8. Private Winfield S. Hill, Company D. 14th Infantry.
 - 9. Private Errin Wickard, Company G, 14th Infantry.
- v 10. Private Philip J. Wickard, Company G. 14th Infantry.
 - v II. Private James Gartland, Company G. 14th Infantry,
 - 12. Private Richard A. Litsinger, Company G, 14th Infantry.
 - 1/13. Musician James Sternes, Company G, 14th Infantry, (14. Private Houston Maxwell, Company G. 14th Infantry,
 - e 15. Private James A. Willis, Company G, 14th Infantry,
- 16. Private Robert H. Singer, Company G. 14th Infantry.
 - CAMP CAMERON.

1. Private Charles Woods, Company E, 9th Infantry,

HEADQUARTERS DEPARTMENT OF THE PLATTE.

Omaha, Nebraska, September 5, 1871.

GENERAL ORDERS, ? Xo. 57.

I. Before a General Court Martial which convened at Fort Fetterman W. T., pursuant to Paragraph I, Special Orders No. 98, current series from these Headquarters, and of which Lieurenant Colonel George A. Woodward, 14th Infantry, is President, and 1st Lieutenant Robert P. Warren, 14th Infantry, Judge Advoeate, were arraigned and tried:

1st. Private Joseph Gould, Company D. 14th Infantry. CHARGE-Desertion.

PLEA-Guilty. FINDING-Gnilty. SENTENCE—"To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a shain four feet in length; and to forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Henry Zander. Company D, 14th Infantry.

Charge-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—" To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length; and to forfelt to the United States all pay and allowances that are or may become due, except the just dues of the laundress for the same period."

The proceedings, findings, and sentence in this case are approved. In defence to the recommendation of the members of the court, the sentence is modified to read "two months," instead of "six months," and, as mitigated, will be duly executed.

3d. Private Alvaro Smith, Company D, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length, and forfeit to the United States all pay and allowances that are or may become the, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Gottfried Schweitzer, Company D, 14th Infantry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length, and to forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period,"

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed,

5th. Private James Callaghan, Company D. 14th Infantry. CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor under charge of the guard for the period of seven months, wearing a twelve pound weight attached to his leg by a chain three feet long; to forfeit all pay and allowances now due or which may hereafter become due him except four dollars a mouth, and at the expiration of his term of confinement to have his head shaved, and be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th, Private James Coule, Company D, 14th Infantry

CHARG-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor under charge of the guard for the period of seven months, wearing a twelve pound weight attached to his leg by a chain three feet long; to forfeit all pay and allowances now due or which may hereafter become due him except four dollars a month; and at the expiration of his term of confinement to have his head shaved and to be dishonorably discharged from the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

 Private John W. Umphrey, Company D, 14th Infantry. Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—"To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length; and to forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private Winfield S. Hill, Company D, 14th Infantry. Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for the period of seven months, wearing a twelve pound weight attached to his leg by a chain three feet long; to forfelt all pay and allowances now due or which may hereafter become due him except four dollars a month, and at the expiration of his term of confinement, to have his head shaved and be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and comfirmed, and the sentence will be duly executed.

9th. Private Errin Wickard. Company, G, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for one year, wearing a ball weighing twenty-four pounds attached by a chain four feet in length to his leg; to forfeit to the United States all pay and allowances that are or may become duc, except the just dues of the laundress, and at the expiration of his sentence to have his head shaved and be dishonorable dicharged the service."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

10th. Private Philip J. Wickurd, Company G, 14th Infantry, Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—" To be confined at hard labor under charge of the guard for the period of seven mouths, wearing a twelve pound weight attached to his leg by a chain three feet long, to forfelt all pay and allowances now due or which may hereafter become due him except four dollars a mouth, and at the expiration of his term of confinement to have his head shaved and be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Private James Gartland, Company G. 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTEXCE—"To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length; and forfeit to the United States all pay and allowances that are or may become due him. except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

12th. Private Richard A. Litsinger, Company G. 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound ball attached to his leg by a chain four feet in length; and to forfeit to the United S ates all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Musician James Sternes, Company G. 14th Infantry.

Charge-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for a period of skx months, wearing a twelve pound weight attached to his leg by a chain from feel in length; and to forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

14th. Private Houston Maxwell, Company G, 14th Infantry.

CHARGE-Desertion.
PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the gnard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length; and to forfelt to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

15th, Private James A. Willis, Company G, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for a period of six months, wearing a twelve pound weight attached to his leg by a chain four feet in length; and to forfelt to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

16th. Private Robert H. Singer, Company G, 14th Infantry, Charge—Desertion,

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for a period of six mouths, wearing a twelve pound weight attached to his leg by a chain four feet in length; and to forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress, for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11. Before a General Coart Martial which convened at Cump Cameron, Neb., pursuant to Paragraph 5, Special Orders No. 134, current series from these Headquarters, and of which Captain Edwin Pollock, 9th Infantry, is President, and Assistant Surgeon Charles Mackin, Jr., Medical Department, Judge Advocate, were sarraigned and tried;

1st. Private Charles Woods, Company E, 9th Infantry.

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In that Private Charles Woods, Company E. 9th Infantry, having been regularly detailed to work in his company's garden, did neglect and leave said work, contrary to orders, before he was regularly relieved; and when ordered back to said work was disrespectful and contemptuous towards the non commissioned officer in charge. This at Fort Kearny, Neb., on or about the 22d of July, 1871.

Specification 2—In that Private Charles Woods, Company E, 9th Infantry, having been one of a party ordered to weigh corn, did delay said work by causing the sacks of corn to full from the scale, and did refuse to assist to weigh said corn when ordered

to do so by the non-commissioned officer in charge. This at Fort Kearny, Neb., on or about July 23d, $1871^{\frac{1}{3}}$

Specification 3—In that Private Charles Woods, Company E. 9th Intantry, having been one of a party ordered to welgh corn, did, when ordered to attend properly to his work, say, in a threatening tone, to the non-commissioned officer in charge; "I will straighten you out before we get to camp," or words to that effect. This at Fort Kearny, Neb., on or about July 23d, 1871.

Specification 4—In that Private Charles Woods, Company E. 20th Infantry, while in confinement, and while at work under a sentimel of the guard, did neglect his work, and when ordered by the Corporal of the Guard to keep at work, did make an obscene and offensive reply. This at Camp Cameron, Neb., on or about July 26th, 1871.

PLEA-Not Guilty.

FINDIGE—Guilty.

SEYENGE—To be confined at hard labor under charge of the guard at the post where his company may be serving, wearing a piece of iron, weighing twenty pounds, attached to his lettleg by a chain five feet long, for the period of three mounts; and to forfeit to the United States all pay, except the just does of the laundress, which may become due, during the same period.

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "one month" instead of "three mouths," and as mitigated will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES.

Assistant Adjutant General.

OFFICIAL.

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, September 11, 1871.

No. 58.

The following circular from the War Department is published for the information and guidance of all concerned, viz:—

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE, Washington, June 7, 1871.

[Circular.]

The following instructions defining the status of Post Traders are promulgated for the guidance of all concerned:—

Post Traders appointed under the authority given by the act of July 15, 1870, will be furnished with a letter of appointment from the Secretary of War, indicating the post to which they are appointed.

They are not subject to the rules prescribed in Λrticle 25, or Paragraphs 196 and 197, Army Regulations, 1863, in regard to sutlers, that office having been abolished by law.

No tax or burden in any shape will be imposed upon them, nor will they be allowed the privilege of the pay table.

They will be permitted to erect buildings, for the purpose of carying on their business, upon such part of the military reservation or post to which they may be assigned as the commanding officer may direct. Such buildings to be within convenient reach of the garrison.

They will be allowed the exclusive privilege of trade upon the military reserve to which they are appointed, and no other person will be allowed to trade, peddle, or sell goods, by sample or otherwise, within the limits of the reserve.

They are under military protection and control as camp followers. Commanding officers will report to the War Department any breach of military regulation or any misconduct on the part of traders. All previous instructions in regard to Post Traders are hereby revoked.

BY ORDER OF THE SECRETARY OF WAR:

(Signed) E. D. TOWNSEND,

Adjutant General.

Under date of August 31, 1871, the Adjutant General of the Army notifies the Commanding General of the Division that the circular is not intended to prohibit "sale of fresh vegetables and fresh fruits by producers, at the discretion of the Commanding officer."

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.



G. C M.

FORT MCPHERSON.

1. Trumpeter James Gleason, Company G, 5th Cavalry.

2. Private Thomas Barrett, Company F, 5th Cavalry.

3. Saddler David Knox, Company G, 5th Cavalry.

4. Private William Loeffler, Company F, 5th Cavalry.
5. Private John H. Barber, Company I, 5th Cavalry.

6. Bugler Lewis E. Kershaw, Company F, 5th Cavalry.

7. Private Louis Zoller, Company I, 5th Cavalry. 8. Private Harry Snyder, Company G, 5th Cavalry.

FORT FETTERMAN.

- 1. Private Thomas Kiley. Company G, 14th Infantry.
- Private James Farmer, Company D, 14th Infantry.
 Private Mortimer C. Beals, Company F, 14th Infantry.
- V4. Private James Noonan, Company F, 14th Infantry.
- 5. Private John Carney, Company E, 14th Infantry.
- √6. Private Otto Hesse, Company E 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, September 12, 1871.

GENERAL ORDERS, }

1. Before a General Court Martial which convened at Fort McPherson Neb., pursuant to Paragraph 5, Special Orders No. 143, current series from these Headquarters, and of which Major Eugene A. Carr, 5th Cavalry, is President, end 2d Lieutenant Earl D. Thomas, 5th Cavalry, Judge Advocate, were arraigned and tried;

1st. Trampeter James Gleason, Company G, 5th Cavalry. Charge 1—Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

Specification—In this that he, Trumpeter James Gleason, Company G, 5th Cavalry, did, on or about the 31st day of July, 1871, break into the stables of Company, 5th Cavalry, and feloniously take, steal and earry away therefrom one horse, one saddle, one

1200 57. 55 t bridle, and one saddle blacket, the property of the United States, and for which 1st Lieutemant Affred B. Bache, 5th Cavairy, is responsible, said property being of the value of one hundred and eighty dollars, more or tess.

All this about the time and place above mentioned.

PLEA-Not Gailty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge—Guilty, except the word "break." and substituting therefor the word "enter."

Of the 2d charged-Guilty.

SENTENCE—"To forfeit all pay and allowances that are or may become due him, to be dishonorably discharged the service of the United States, and to be confined for one year in such penitentiary as may be designated by the Department Commander."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penilentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the warden of the penilentiary with a copy of this order.

2d. Private Thomas Barrett, Company F, 5th Cavalry.

 $\ensuremath{\mathsf{CHARGE}}\xspace\xspace - \ensuremath{\mathsf{Conduct}}\xspace \xspace \xspace \xspace \xspace + \xspace \xsp$

Specification 1—In this, that Private Thomas Barrett, Company F, 5th Cavalry, did become as much under the influence of intoxicating liquor as to be unfit to perform the duties of a soldier. This at North Platte Station, Nebraska, July 4th, 1871.

Specification 2—In this, that Private Thomas Barrett, Company F, 5th Cavalry, did, without provocation, assault and strike with his elenched hand Corporal Michael Giyan, Company F, 5th Cavalry. This in the quarters of Company F, 5th Cavalry, at North Platte Station, Neb., July 4th, 1871.

Specification 3—In this, that Private Thomas Barrett, Company F. 5th Cavalry, did, after being confined in the guard honse, use disrespectful, abusive and ontrageously insulting language towards his Commanding Officer, 1st Lieutenant John B. Babooks. 5th Cavalry. This at North Platte Statio; Neb., July 4th, 1871.

PLEA—To the 1st specification—Guilty.

To the 2d specification-Not Guilty.

To the 3d specification-Not Guilty.

To the charge—Guilty.

FINDING-Gnilty.

SENTENCE—"To be confined at hard labor under charge of the guard for six months, and to forfeit ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved, but the sextence is modified to read "one month," instead of "six months," and as mitigated will be duly executed.

3d. Saddler David Knox, Company G, 5th Cavalry.

Charge 1—Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

Specification—In this that he, Saddler David Kacz, Company G. 5th Cavalry, did, on or about the 31st day of July, 1871. here had not the stables of G Company, 5th Cavalry, and feloniously steal, take and earry away therefrom one horse, one saddle and one bridle, the property of the United States, and for which 1st Lentenant Alfred B. Backs, 5th Cavalry, is responsible; said property being of the value of one hundred and seventy-five dollars, more or less. All this about the time and place above mentioned.

PLEA-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge—Guilty.

Of the specification 2d charge—Guilty, except the word "break" and substituting therefor the word "enter."

Of the 2d charge—Guilty.

SENTEXCE—"To forfeit all pay and allowances now due or that may become due, to be dishonorably discharged the service of the United States, and to be confined for one year in such penitentiary as may be designated by the Department Commander." (The proceedings footbase and content in this case)

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

4th. Private William Loeffer, Company F, 5th Cavalry.

CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the paral at the post where his company may be serving, for the period of one year, carrying a ball weighing twenty-four pounds attached to his leg by a chain six feet long, and forfelt ten dollars per month of his mouthly pay for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private John H. Barber, Company 1, 5th Cavalry.

CHARGE—Desertion.
PLEA—Guilty.

FINDING—Guilty.

SENTENCE—" I'o be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Bugler Lewis E. Kershaw, Company F. 5th Cavalry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

CHARGE 2-Violation of the 38th Article of War.

PLEA-Not Guilty.

FINDING-Not Guilty. And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. The prisoner will be restored to duty.

7ti. Private Louis Zoller, Company I, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving for the period of three months, and to forfelt en dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Private Henry Snyder, Company G, 5th Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In tils that he, Private Heary Say-tee. Company, 6, 5th Cavalry, having been charged with the guarding and safe keeping of Privat. Robert Douglas, Company F, 5th Cavalry, a prisoner undergoing sentence in post guard house at Fort McPherson. Nebraska, did negligearly allows sald prisoner, Private Robert Douglas, Company F, 5th Cavalry, while he, the said Private Robert Douglas, Company F, 5th Cavalry, was ont on fatigue with the water wagon, to escape the enstody and control of said Heary Sayder, Private, G Company, 5th Cavalry. All this at or near Fort McPherson, Nebraska, on or about the 3d day of August, 873.

PLEA-Not Gnilty.

FINDING-Not Guilty. And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private Snyder will be restored to duty.

II.—Before a General Court Martial wi'ch convened at Fort Fetterman, W. T., pursuant to Paragraph 1. Special Orders No. 98, current series from these Headquarters, and of which Lientenant Colonel George A. Wooderal, 14th Infantry, is President, and 1st Lientenant Robert P. Warren, 14th Infantry, Judge Advo. Cate, were arraigned and tried:

1st. Private Thomas Kiley, Company G, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINEING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for the period of four months, and to forfeit eight dollars of his monthly pay for six months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

2d. Private James Farmer, Company D. 14th Infantry.

CHARGE-Violation of the 46th Article of War,

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the gnard for the period of two months, and to forfelt to the United States the sum of six dollars per month of his monthly pay for five months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Mortimer C. Beals, Company F, 14th Infantry. Charge 1—Desertion.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances that are or may become due him, except the just dues of laundress; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Commanding General may direct for the period of one year."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under sultable guard and turned over to the warden of the penitentiary with a cony of this order.

4th. Private James Noonan, Company F, 14th Infantry.

CHARGE 1-Violation of the 45th Article of War.

CHARGE 2-Conduct to the prejudice of good order and military discipline,

Specification-In that Private James Noonan, Company F, 14th Infantry, white on duty as kitchen police, did provoke and engage in a disgraceful quarrel with Private John C. Brown, Company F. 14th Infantry, and while being taken to the guard house by Sergeant James Benton, Company F. 14th Infantry, did resist said sergeant and did call him a "son of a b-h." This at Fort Fetterman, W. T., on or about the 7th day of August, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st charge and specification-Not Guilty. Of the 2d charge and specification-Guilty.

SENTENCE-" To forfeit to the United States the sum of eight dollars per month of his monthly pay for three months, and to be confined at hard labor in charge of the guard for the period of two months,"

The proceedings, findings, and sentence in this case are anproved, but the confinement is remitted. As mitigated, the sentence will be duly executed.

5th. Private John Carney, Company E. 14th Infantry, CHARGE 1-Desertion.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-Guilty. FINDING-Guilty.

SENTENCE-" To forfeit all pay and allowances that are or may become due him, except just dues of the laundress; to be confined at hard labor under charge of the goard for the period of eight months, wearing a weight weighing twelve pounds attached to his leg by a chain four feet long; then to have his head shaved and to be drummed out of the garrison, and be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private Otto Hesse, Company E, 14th Infantry. CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Guilty. FINDING-Guilty.

SENTENCE—"To forfeit all pay and allowances that are or may become due him, except just dues of the laundress; to be consined at hard labor under charge of the guard for the period of eight mouths, wearing a weight weighing twelve pounds attached to his leg by a chain four feet long; then to have his head shaved and to be drummed out of the garrison and dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General

Official..

Aide-de-Cansp.

Noted.

G. C. M.

FORT LARAMIE.

- 1. Private Samuel S. Woodruffe, Company I, 14th Infantry.
- √2. Private Jacob Flick, Company II, 14th Infantry.
- √3. Private Frank V. Nelson, Company H, 14th Infantry, ✓ 4 Private William M. Connelly, Company M, 5th Cavalry.
 - ✓ 4 Private William M. Connelly, Collipsity M, 5fli Cavati
 √5. Private Charles Ebert, Company 1, 14th Infantry.
 - 2) Private Charles Ebert, Company I. 14th Infantry.
- Private Joseph Walters, Regimental Band, 14th Infantry.
 Private Daniel Haggerty, Company A, 5th Cavalry.
 - №8. Sergeant James W. Taylor, Company A. 14th Infantry.
 - √9. Musician Charles Rogan, Company A, 14th Infantry,
 √10. Private Dennis O'Brien, Company B, 14th Infantry,
 - VII. Private John Carter, Company A, 14th Infantry.
 - 12. Private Louis Adams, Company A. 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska. September 13, 1871.

No. 60,

1. Before a General Court Martial which convened at Fort Laramic, W. T., pursuant to Paragraph 2. Special Orders No. 111, current series from these Headquarters, and of which Captain Augustus II. Britabridge, 4th Infantry, is President, and Assistant Surgeon Robert M. O'Reilly, Medical Department, Judge Alvocate, were arraigned and tried;

1st. Private Samuel S. Woodruffe, Company I, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING—Guilty.

SENTEXCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six test long; to forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the landress and the necessary clothing; to be indelibly marked on the left hip with the letter D two and a half inches long, and at the expiration of his term of

confinement to be dishonorably discharged, to have his head shaved and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Jacob Flick, Company H, 14th Infantry.

CHARGE—Desertion.
PLEA—Guilty.

FINDING-Guilty,

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs, by a chain six feet long; to forfielt to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and necessary clothing; to be indelibly marked on the left hip with the letter D two and a half inches long, and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to twelve months. As mitigated, the sentence will be duly executed.

3d. Private Frank V. Nelson, Company II, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound bail attached to one of his legs by a chain is; feet long; to forfiel to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and the necessary clothing; to be hadelibly marked on the left hip with the letter D two and a half inches long; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved, but in view of the past good character of the prisoner, as testified to by his company commander, the term of confinement

is reduced to twelve months. As mitigated, the sertence will be duly executed.

4th. Private William M. Connelly, Company M, 5th Cavalry.

CHARGE 1-Falsehood, to the preindice of good order and military discipline.

CHARGE 2-Disrespect towards his Commanding Officer, in violation of the 6th Article of War.

PLEA- To the specification 1st charge-Not Guilty.

Of the 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Guilty, except the words "falsely" and "disrespectful," and to the excepted words-Not Guilty.

To the 2d charge-Not Guilty.

FINDING-Of the specification 1st charge-Guilty, except the words "such statement being false," and of the excepted words-Not Guilty.

> Of the specification 2d charge-Guilty, except the word "falsely," and of the excepted word-Not Guilty.

Of the 2d charge-Guilty, -

SENTENCE-" To forfeit to the United States five dollars of his monthly pay for the period of one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th, Private Charles Ebert, Company I, 14th Infantry,

CHARGE -Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and the necessary clothing; to be indelibly marked on the left hip with the letter D two and a half inches long, and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved and to be drammed out of the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private Joseph Walters, Regimental Band, 14th Infantry.
Charge—Conduct to the prejudice of good order and military
discipline.

Specification-In this that he, Private Joseph Walters, Regimental Band, 14th Infantry, did enter the quarters of the Band. 14th Infantry, after tattoo, intoxicated, and did annoy and prevent from sleeping the men of the 14th Infantry Band quartered there, by loud talking and walking around the quarters; and when ordered to keep quiet and go to bed by the sergeant in charge, Sergeaut William Claus, Regimental Band, 14th Infantry, did persist in the disorderly conduct alleged and did say to said Sergeant Claus, "You d-d fool," or words to that effect and when the said Sergeant Claus, in charge of the Band quarters and responsible for the maintainance of good order therein, attempted to restrain him and induce him to be guiet and go to bed, he, the said Joseph Walters, Regimental Band, 14th Infantry, did offer and make resistance and did assault the said Sergeant William Claus, then in the performance of his duty, and did bite with his teeth the said Sergeant Claus inflicting upon each of his wrists severe wounds. All this at Fort Laramie, W. T., on or about the 2d day of August, 1871, between the hours of 9 and 12 9. m.

PLEA- Guilty.

FINDING-Guilty.

SENTENCE-" To forfeit to the United States ten dollars per month of his monthly pay for the period of four months."

The proceedings, findings, and sentence in this case are approved, but in view of the fact that the sergeant whom he resisted had been drinking in company with the prisoner, and that the fault was by no means confined to the prisoner, the sentence is mitigated to forfeiture of ten dollars for one month, and as modified will be duly executed.

7th. Private Daniel Haggerty, Company A, 5th Cavalry,

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound buil attached to one of his legs by a chain is; feet long; to forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the leannifies and the necessary clothing; to be indelibly man ked on the left hip with the letter D two and a half inches long, and at the expiration of his term of confinement to be dishonerably discharged, to have his head slaved and to be drammed out of the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will duly executed.

8th. Sergeant James W. Taylor, Company A, 14th Infantry,

CHARGE 1-Violation of the 44th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Sergeant Janes W. Taylor, Company A, 14th Infantry, having been regularly detailed for guard, did become so much under the influence of liquor as to be musble to perform the duties for which he had been detailed, in a proper manner. This at Fort Laramie, W. T., on or about September 1st, 1871.

Specification 2—In this, that Sergeant Jances W. Taylor, Company A. Hith Infantry, when told by 1st Sergeant Charles A. Bazter, Company A. Hith Infantry, to get rea ly for guard, d d make use of the following discrepectful language to the said Sergeant Bazter, to wit: "You may " * "," or words to that effect. This at Fort Laramile, W. T., on or about September 1st, 1871.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge-Guilty.

To the 1st specification 2d charge-Guilty

To the 2d specification 2d charge-Not Guilty.

To the 2d charge-Guilty.

FINDING-Guilty.

SENTENCE-"To be reduced to the ranks, and to forfeit to the

United States ten dollars per month of his monthly pay for the period of two months."

The proceedings, findings, and sentence in this case are approved, but in view of the past excellent character of the prisoner, as testified to by his company commander, the reduction to the ranks is remitted. The remainder of the sentence will be duly executed.

9th. Musician Charles Rogan, Company A, 14th Infantry.

CHARGE 1-Violation of the 54th Article of War.

CHARGE 2-Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Wusleian Charles Rogan. Company
A. 14th Infantry, did become so much under the influence of
lutoxicating liquor as to be musble to perform his duty as a field
musician in a proper manner; and when ordered, and while
being taken to the guard house by Sergeant Samael McIatyre.
Company A. 14th Infantry, he being in the execution of his offlee.
did resist the said Sergeant McIatyre, by drawing a sword and
threatening and attempting to use it upon the said Sergeant
McIatyre, and did say to the said Sergeant McIatyre. Pill not go
to the guard house for you or any one else, I'll cut your guts out
before night," or words to that effect. This at Fort Laramie, W.
T., on or about September 1st, 1871.

Specification 2—In this, that Musician Charles Rogan, Company A, 14th Infantry, did say to list Sergeaut Charles A, Bazter, Company A, 14th Infantry, "You son of b——In you w——'s bastard," or words to that effect. This at Fort Laramie, W. T., on or about September 1st, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfelt to the United States ten dollars per month of his monthly pay for the period of four months, and to be confined under charge of the guard for the same period, the first and last seven days of each month to be in solitary confinement on bread and water diet, and the remainder of the time to be at hard labor."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

10th. Private Dennis O'Brien, Company B. 14th Infantry.

Charge—Gross neglect of duty, to the prejudice of good order and military discipline.

Specification—In this, that Private Denais O'Brien, Company B. 4Hn Infantry, a member of the post guard duly mounted at Fort Laramie, W. T., August 31st, 1871, did, in violation of existing orders and orders given him, allow Private John II Moore, Company B. 14th Infantry, a prisoner mader his charge, to enter the store of the post trader. This at Fort Laramie W. T., on or about September 1st, 1871.

PLEA-To the specification—Guilty, except the words "in violation of existing order and orders given him;" and of the excepted words—Not Guilty.

To the charge-Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars per month of his mouthly pay for the period of two mouths, and to be confused at hard labor under charge of the guard for the same period"

The proceedings in this case are approved. The findings and sentence are disapproved. The Corporal of the guard, who turned over to accused the prisoner whom he permitted to enter the post trader's store, testifies that the only instructions he gave the accused were not to permit his prisoner to escape, and that he, thuself, heard no general instructions given the guard that day touching the treatment of prisoners. There is no evidence that the accused heard any such general instructions and the Corporal's testimony makes it probable he did not.

The prisoner will be restored to duty.

11th. Private John Carter, Company A, 14th Infantry.

Charge-Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private John Carter, Company A, 14th Infantry, having been regularly detailed for grand, did secome so much under the influence of intoxicating liquor as to be mable to perform the duty for which he had been detailed, in a proper manner. This at Fort Laramie, W. T., September 6th, 1871. Paga-Guilty. FINDING-Guilty.

SENTENCE-" To be confined at hard labor under charge of the guard for the period of one month "

In this case the specification should have been laid under the 45th Article of War, but as the sentence pronounced infliets corporeal punishment only the proceedings, findings and sentence are approved and confirmed, and the sentence will be duly excented.

12th. Private Louis Adams, Company A, 14th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-To the specification-Guilty, except the words "did become so much under the influence of intoxicating liquor as to be unable to perform the duties for which he had been detailed, in a proper manner," and of the excepted words-Not Guilty.

To the charge-Not Guilty.

FINDING-Of the specification-Not Guilty, except the words "having been regularly detailed for guard" and of the excepted words Guilty, but attached no eriminality thereto.

Of the charge-Not Guilty. And the Court does therefore acquit him,

The proceedings, findings, and acquittal in this case are approved, with the exception of the action of the Court in excusing Lieutenant McCammon from serving as a member, on his own application. The grounds submitted by that officer in making his request to be excused; namely, that he was a material witness and had already formed an opinion, were substantial reasons for excusing him from further duty on the Court during the trial had they been originally advanced by the prisoner as grounds of challenge, or had the prisoner been asked if, on said grounds, he desired to challenge Lieutenant McCammon or consented to the latter being exensed. The record, however, is silent on this subject, and the inference necessarily is that no such inquiries were put to the prisoner by the Judge Advocate or the Court. It is only in ease of the sudden illness of a member or other similar stringent necessity that a Court may be reduced in

numbers by its own action without the challenge or without the consent of the party on trial.

The action of Lieutenant McCammon in laying before the Court his reasons for deeming himself disqualified was eminently proper; the prisoner, however, should have been asked if he challenged that officer on the grounds stated, or consented to his being excused. If the prisoner had answered in the negative Lieutenant McCammon should have been retained on the Court.

The prisoner will be restored to duty.

II.. The General Court Martial convened at Fort D. A. Russell, W. T., pursuant to Paragraph I, Special Orders No. 127, current series from these Headquarters, and of which Captain Philip A. Oncea, 9th Infantry, is President, and Captain Robert H. Montgomery, 5th Cavairy, Judge Advocate, is hereby dissolved.

III. The General Court Martial convened at Camp Stambaugh, W. T., pursuant to Paragraph 2, Special Orders No. 121, current series from these Headquarters, and of which Major Edwin F. Townsend, 9th Infantry, is President, and 2d Lieutenant John B. Guthrie, 13th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES.

Assistant Adintant General

OFFICIAL.

Aide-de-Camp.

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G. C M.

CAMP STAMBAUGII.

he Michael S. Linney, Company B. 2d Cavalry.

FORT FETTERMAN.

1. Private Carl Saliz. Company F. 14th Infantry.

2. Corporal James G. Whitehead, Company G. 14th Infantry.

✓3. Private Tice Shier, Company F, 14th Infantry.

✓4. Private Edward Sheehan, Company F, 14th Infantry.

√5. Private Thomas Farrell, Company G, 14th Infantry.

CAMP DOUGLAS.

1. Hospital Steward Louis Pauly, U. S. Army.

Private John Edgar, Company C, 13th Infantry.

√3. Private James J. Burns, Company E. 13th Infantry.

4. Musician Frederick Shoppelrie, Company B, 7th Infantry.

FORT LARAMIE.

1. Private Henry Murphy. Company M, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha. Nebraska, September 23, 1871.

GENERAL ORDERS, No. 61,

1. Before a General Court Martial which convened at Camp Stambaugh, W. T., pursuant to Paragraph 1. Special Orders No. 136, current series from these Headquarters, and of which Major Educin F. Toensend. 9th Infantry, is President, and 1st Lieutemant Randoph Novrocod, 2d Cava'ry, Judge Advocate, was arraigned and tried:

1st. Private Michael S. Linney, Company B, 2d Cavalry.

Charge-Desertion.

PLEA-Guilty. FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances due and to become due, except the just dues of the laundress; to be indelibly marked on the left hip with the letter "D," one and a half inches long; be confined at hard labor in charge of

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the guard at the post where his company may be serving, wearing a twenty-four pound ball attached to his left leg by a six foot chain, for the period of two years; then to have his head shaved, to be dishonorably discharged and drummed out of the service of the United Stat s.

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

H. Before a General Court Martial which convened at For Fetterman, W. T., pursuant to Paragraph I, Special Orders No. 98, current series from these Headquarters, and of which Lieutenant Colonel George A. Woodward, 44th Infantry, is President, and 1st Lieutenant Robert P. Warren. 14th Infantry, Judge Advocate, were arraigned and tried;

1st. Private Carl Salix, Company F, 14th Infantry.

CHARGE—Neglect of duty, to the prejudice of good order and military discipline.

Specification—In this, that Private Carl Saltz, Company F, 14th Infantry, being a sentinel on guard and daily placed in charge of three prisoners, did, without justification or excusepermit one of said prisoners to escape. This at Fort Fetterman, W. T., between the hours of one and two o'clock P.M., on or about the 18th day of August, 1871.

PLEA—Not Guilty. FINDING—Guilty.

SENTENCE—"To forfeit to the United States twelve dollars of his monthly pay for three months, and to be contined at hard labor under charge of the guard for the same period,"

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to one month. As mitigated, the sentence will be duly executed.

2d. Corporal James G. Whitehead, Company G, 14th Infantry. CHARGE 1—Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification- Not Guilty. Finding-Guilty.

SENTENCE—'To be reduced to the rank of a private soldier; to 20-feit to the United States ail pay and allowances that are or may become due, except just dues of the laundress; to be discharged dishonorably from the service, and to be confined in such peniferdary as the Commanding General may direct for two years."

The proceedings, findings, and scatence in this case are approved, but the term of imprisonment is reduced to one year. As mitigated the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

3d. Private Tice Shier, Company F, 14th Infantry.

Charge 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA- To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Of the specification 1st charge-Guilty.

Of the 1st charge-Guilty.

Of the 1st charge—Guilty

Of the specification 2d charge—Culity, with the exception of "twenty rounds of metallic cartridges, one cartridge box plate, one cartridge box belt plate, one cartridge box one cartridge box belt, one bayonet scabbard and one waist belt and plate;" and of the excepted words—Not Guilty.

Of the Second charge—Not Guilty, but guilty of violation of the 38th Article of War.

SENTENCE.—"To make good the value of the articles lost or disposed of by a stoppage of one dollar and twenty-one cents per week; to be confined at hard labor under charge of the guard for seven months, wearing a weight attached to his leg by a chain four feet long; to forfeit all pay and allowances that are or may become due, except the just dues of the laundress and and as above provided; then to be dishonorably discharged the service and to be drummed out of the garrison."

The proceedings in this case and the findings of the first charge are approved. The finding of the second charge are disapproved the Judge Advocate General having held "that a finding of not guilty of conduct to the prejudice of good order and military discipline, but guilty of a violation of some specified article was not to be sanctioned."

The sentence is mitigated to read as follows:

To be confined at hard labor in charge of the guard for six mouths, wearing a weight attached to his leg by a chain four feet long; to forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; and then to be dishonorably discharged the service and drummed out of the garrison.

As modified, the sentence will be duly executed

4th. Private Edward Sheehan, Company F, 14th Infantry. Charge 1—Violation of the 45th Article of War.

CHARGE 2-Disobedience of orders, in violation of the 9th Article of War.

CHARGE 3-Conduct to the prejudice of good order and military discipline.

Specification I—In this, that Private Edward Sheehan, Company F, 14th Infantry, Hospital Nurse, when ordered by Hospital Steward, John M. Walsh, U. S. A., to leave the quarters of the laundress living at the hospital, did reply, in an insolent and insubordinate manner. "I wout i when people talk about me I want satisfaction," he being at the time intoxicated. This at Fort Fetterman, W. T., between the hours of 12 M. and 1 P.M., on or about the 13th day of August, 1871.

Specification 2—In this, that Private Edward Sheehan, Company F, 4th Infantry, Hospital Nurse, having been ordered by Hospital Steward John M. Welsh, U. S. A., to keep quiet, did continue to talk in an insolent manner, and did menace and seek to lutinidate said Weish by drawing a pistol from his pocket, evidently with the intention of shooting him. This at Fort Fetterman, W. T., between the hours of 12 M. and 1 P.M., on or about the 13th day of August, 1871.

PLEA-Not Gullty.

FINDING-Not Guilty. And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Private Sheehan will be restored to duty.

5th. Private Thomas Farrell, Company G, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty

FINDING-Guilty.

SENTENCE—"To be confined at hard labor for the period of seven months, wearing a twenty-four pound ball attached to a chain four feet long; and to forfeit to the United States all pay and allowances that are or may become due, except the just dnes of the laundress for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

III. Before a General Court Martial which evreened at Camp Donglas, U. T., pursuant to Paragraph I, Special Orders No. 124, current series from these Headquarters, and of which Colonel P. R. DeTrobriand, 13th Infantry, is President, and C-ptain Alfred L. Hough, 13th Infantry, Judge Advocate, were arraigned and tried:

1st. Hospital Steward Louis Pauly, U. S. Army.

Charge 1—Conduct to the prejudice of good order and military discipline, in violation of the Act of Congress approved March 2d, 1863.

Charge 2—Theft, in violation of the Act of Congress approved March 2d. 1863.

ADDITIONAL CHARGE—Conduct to the prejudice of good order and military discipline.

ADDITIONAL CHARGE 2—Conduct to the prejudice of good order and military discipline.

PLEA—To the 1st specification 1st charge—Guilty, except to the words "wrongfully and," to the words "and didcomive at, aid and abet in the wrongful sale and disposal of," and to the words "and did frandulently misappropriate and convert to his own use the proceeds of such sale;" and to the excepted words—Not Guilty, To the 2d specification 1st charge—Guilty, except the words "wrongfully and," to the words "and did connive at, aid and abet in the wrongful sale and disposal of," and to the words "and did frandulently misappropriate and convert to his own use the proceeds of such sale;" and to the excepted words—Not Guilty.

To the 3d specification 1st charge—Guilty, except to the words "wrongfully and," to the words "and did connive at, aid and abet in the wrongful sale and disposal of," and to the words "and did frandulently misappropriate and convert to his own use the proceeds of such sale;" and to the excepted words—Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Not Guilty.

To the 2d charge-Not Guilty.

To the 1st specification additional charge—Guilty, except to the words "and did have the amount of such purchase charged against the Post Hospital, Camp Douglas, U. T.;" and to the excepted words—Not Guilty.

To the 2d specification additional charge—Not Guilty.

To the 3d specification additional charge—Guilty, ex-

To the 3d specincation additional charge—Guity, except to the words "and did have the same charged against the Post Hospital, Camp Douglas, U. T.;" and to the excepted words—Not Guilty.

To the additional charge-Not Guilty.

To the 1st specification 2d additional charge—Guilty, except the words "the proper offleer," and to the words "and did carry the same away and fail to account in any manner for such money, thus endeavoring to convert and appropriate the same to his own use and benefit;" and to the excepted words—Not Guilty.

To the 24 specification 2d additional charge—Not Guilty.
To the 2d additional charge—Not Guilty.

To the 2d adultonal charge—Not Gunly,

Finding—Of the 1st specification 1st charge—Gullty, except
of the words "and knowingly," "and did countre
at, ald and abot in the wrongful sale and disposal
of," "and did fraudulently misappropriate and
convert to his own use, the proceeds of such
sale;" and of the excepted words—Not Guilty; but
attach no erlumiality thereto.

- Of the 2d specification 1st charge—Guilty, except of the words 'and knowingly,' 'and did comive at, sid and abot in the wrougful sale and disposal of," 'and did fraudulent'y nisappropriate and convert to his own use the proceeds of such sale;' and of the excepted words—Nor Guilty; but attach no criticality thereto.
- Of the 3d specification 1st charge—Guilty, except of the words "and knowlingty," "and did comive at, aid and abet in the wrongful sale and disposal of," "and did frauthlently misappropriate and convert to his own ne the proceeds of such sale," and of the excepted words—Not Guilty; but attach no erluinality thereto.
- Of the 1st charge-Not Guilty.
- Of the specification 2d charge-Not Guilty.
- Of the 2d charge-Not Guilty.
- Of the 1st specification additional charge—Gulity, except of the words "and did have the amount of said purchase charged against the Post Hospital, Camp Donglas, U. T.;" and of the excepted words—Not Guilty, but attach no criminality thereto.
- Of the 2d specification additional charge-Not Guilty.
- Of the 3d specification additional charge—Guilty, except of the words "and did have the same charged against the Post Hospital, Camp Douglas, U. T.;" and of the excepted words—Not Guilty, but attach no criminality thereto.
- Of the additional charge-Not Guilty.
- Of the 1st specification 2d additional charge—Guilty, except of the words "the proper officer," "thus endeavoring to convert and appropriate the same to his own use and benefit;" and of the excepted words—Not Guilty; but attach no criminality thereto.
- Of the 2d specification 2d additional charge—Not Guilty.

Of the 2d additional charge-Not Guilty.

And the Court does therefore acquit him.

The proceedings, findings, and acquittal in this case are approved. Hespital Steward Pauly will be restored to duty.

2d. Private John Edgar, Company C, 13th Infantry.

Charge-Desertion. PLEA-Guilty.

FINDING-Gnilty.

SENTENCE-"To forfeit to the United States ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private James J. Burns, Company E, 13th Infantry.

CHARGE—Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit to the United States ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will duly executed,

4th. Musician Frederick Schoppelrie, Company B, 7th Infantry. CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guiller.

SENTENCE-"To forfeit to the United States ten dollars of his mouthly pay for six months, and to be confined at hard labor in charge of the guard at Camp Douglas, U, T., for the same pe iod."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private William Griffin, Company E, 13th Infantry. CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for six months, to be confined at hard labor in charge of the gnard for the same period, and at the expiration of the time to be dishonorably discharged the service."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

IV. Before a General Court Martial which convened at Fort Laramie, W. T., pursuant to Paragraph 2, Special Orders No. 141, current series from these Headquarters, and of which Captain Augustus H. Bainbridge, 14th Infantry, is President, and Assistant Surgeon Robert M. O'Reilly, Medical Department, Judge Advocate, was arraigned and tried;

1st. Private Henry Murphy, Company M. 5th Cavalry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Henry Murphy, Company M, 5th Cavalry, being regularly detailed and on duty in the Quartermaster's Department, did fail to report for work at fatigue call. This at Fort Laramile, W. T., on the morning of July 5, 1871.

Specification 2—In this, that Private Henry Murphy, Company M, 5th Cavalry, when sent for to his quarters to go to work, by 1st Lieutenant George W. Steele, R. Q. M., 14th Infantry, A. A. Q. M., did fail to come, and replied that he was excused, which statement was false. This at Fort Laramic, W. T., on the morning of July 5th, 1871.

CHARGE 2-Violation of the 9th Article of War.

PLEA-To the 1st specification 1st charge-Guilty.

To the 2d specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge-Guilty.

To the 2d charge-Guilty.

FINDING-Of the 1st specification 1st charge-Guilty.

Of the 2d specification 1st charge—Guilty, except the words "and replied that he was excused, which statement was false," and of the excepted words —Not Guilty. Of the 1st charge—Guilty.
Of the specification 2d charge—Guilty.
Of the 2d charge—Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for the period of two mouths, and to forfeit to the United State ten dollars per mouth of his mouthly pay for the period of four mouths."

The proceedings, findings, and sentence in this case are approved, but the confinement is remitted. As mitigated, the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General

OFFICIAL.

Aide-de-Camp.



G. C M.

FORT SANDERS.

1. Private Hugh Campbell, Company H, 9th Infantry, 2. Private Lichard Burke, Company II, 9th Infantry.

3. Private Hugh McCall, Company II, 9th Infantry.

1. Private Jackson Flanagan, Company H, 9th Infantry.

1. Private Samuel B. Broten, Company H, 9th Infantry.

6. Private William Springer, Company I, 2d Cavalry

7. Private John Haley, Company II. 9th Infantry. 8. Sergeant George W. M. Merryman, Company I, 2d Cavalry, 9. Priva'e Charles Cavanaugh, Company II. 9th Infantry.

FORT MCPHERSON.

V 1. Private Thomas H. DeLaney, Company H. 5th Cavalry. 2. Private Richard DeKuhn, Company K, 5th Cavalry.

> HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, October 2d, 1871,

GENERAL ORDERS, } No. 62.

I.. Before a General Court Martial which convened at Fort Sanders, W. T., pursuant to Paragraph 1, Special Orders No. 164, current series from these Headquarters, and of which Lientenant Colonel Luther P. Bradley, 9th Infantry, is President, and 1st Lieutenant George F. Price, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Hnah Campbell, Company H. 9th Infantry,

CHARGE-Drunkenness on duty, in violation of the 45th Article of War. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the gnard at the post where his company may be serving, for the period of two months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d Private Richard Burke, Company H, 9th Infantry.

CHARGE-Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two months." $\label{eq:confined}$

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will duly excented.

3d. Private Hugh McCall, Company H, 9th Infantry.

CHARGE 1-Absence without leave, in violation of the 21st Article of War.

CHARGE 2—Neglect of duty, to the prejudice of good order and military discipline.

PLEA—Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of three months, and to forfeit to the United States to dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in this case are approved, but the sentence is modified to read "one month" instead of "three months," and as mitigated will be duly executed.

4th. Private Jackson Flanagan, Company H, 9th Infantry. Charge—Theft, to the prejudice of good order and military discipline.

Specification—In this, that Private Jackson Flanagan, Company H, 49th Infantry, did feloniously take, steal and carry away from the quarters occupied by 2d Lieutenant J. McB. Stembel, 9th Infantry, one Colt's army revolver, valued at fifty dollars. This at Fort Sanders, W. T., on or about Seytember 10th, 1875.

PLEA-Guilty.

FINDING-Of the specification-Guilty, except the word "fifty," substituting therefor the word "fifteen."

Of the charge-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the term of three months, to forfeit to the United States ten dollars per month of his monthly pay for the same period, and at the expiration of the term of confinement to be dishonorably discharged

the service and to be drummed out of the garrison, wearing on his back a placard having the word "THIEF" printed thereon."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

5th. Private Samuel B. Brown, Company II, 9th Infantry.

CHARGE-Conduct to the prejudice of good order and military discipline.

Specification—In this, that Private Semnel B. Brown, Company H, 9th Infantry, did, while under the influence of liquor, enter the barrack room of Company H, 9th Infantry, carrying openly a butcher knife, and did say, "I will cut that d —d dog's throat," and did seize by the neck and attempt to cut the throat of the dog referred to (the same belonging to Private Henry Schmidt, same company and regiment), by drawing the knife repeatedly across the dog's throat and neck; and when remonstrated with by Private Schmidt, did let go the dog and did raise the knife in a threatening manner, and approach Private Schmidt, and did, with said drawn knife and in a threatening manner, chase or pursue Private Schmidt out of the barrack room, wilfully, maliciously and with latent to do him, the said Schmidt, bodily harm.

This at Fort Sanders, W. T., on or about the 30th Angust, 1871.

PLEA-Not Guilty.

FINDING-Of the specification—Guilty, excepting the words,
"and did say 'I will out that d—d dog's throat;' "
and of the excepted words-Not Guilty.

Of the charge-Gulity.

SENTENCE-"To forfeit to the United States ten dollars per mouth of his monthly pay for two months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed

6th. Private William Springer, Company I. 2d Cavalry.

CHARGE—Theft, to the prejudice of good order and military discipline.

Specification—In this, that Private William Springer, Company I, 2d Cavalry, did feloniously take, steal, and carry away from the commissary storehouse, one ham, valued at about one dollar and

seventy-five cents, the property of the United States, and for which Captain G. A. Hull, Military Storekeeper, Q. M. D., A. C. S., is responsible. This at Fort Sanders, W. T. on or about August 28th, 1871.

PLEA-Guilty

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the term of two months, and to forfeit ten dollars per month of his monthly pay for the same period,"

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly excented.

7th. Private John Haley, Company H. 9th Infantry.

CHARGE-Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty. FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of two months."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

8th. Sergeant George W. M. Merryman, Company I, 2d Cavalry. CHARGE 1-Violation of the 21st Article of War.

CHARGE 2-Conduct to the preindice of good order and military diseipline.

Specification 1-In this, that Sergeant George W. M. Merryman. Company I, 2d Cavalry, having absented himself without leave. as specified under charge first, and being called upon by his Company Commander, Captain Henry E. Noves, 2d Cavalry, to explain his unauthorized absence, did make a false statement of the cause of his absence. This at Medicine Bow Station, W. T., on or about June 3d, 1871.

Specification 2-In this, that Sergeant George W. M Merryman, Company I, 2d Cavalry, did obtain a young elk and a quarter of an old elk from a citizen named Bonham, at Bush's Ranche, on Rock Creek, W. T., promising said Bonham to give him in part payment a Springfield rifle and one hundred rounds of ammunition six days thereafter, which he has failed to do, thereby defrauding the said Bonham of property which he valued at fifty dollars. This at Bush's Ranche, Rock Creek Station, W. T., on or about June 2d, 1871

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be reduced to the rank of a private soldier, and to ferfeit ten dollars per month of his monthly pay for one month."

In this case the offense alleged against the prisoner under the second specification of the second charge was not triable by a military court. The proceedings thereunder are therefore disapproved. His absence from his company for twenty-four hours beyond his leave he seems to have succeeded in plantsibly accounting for by testimony; and it is maccountable that he should have given a false explanation of it to his Commanding Officer when called upon for a statement.

The remaining proceedings and the sentence are approved; but in view of his past excellent record during a service of thirteen years (nearly all of that time as a non-commissioned offeer), as shown in the endorsements upon his successive discharges, the reduction to the ranks is remitted. The remainder of the sentence will be duly executed.

Sergeant Merryman will be restored to day.

9th. Private Charles Cavanaugh, Company H. 9th Infantry.

CHARGE 1-Violation of the 21st Article of War.

CHARGE 3-Theft.

Specification—In this, that Private Charles Garanaugh, Company H, 9th Infantry, did felonionsly take, steal and carry away forty dollars, the property of Louis Bandcher, a cilizen of Laramile City, W. T. This at Laramie City, W. T., on or about August 14th, 1871.

CHARGE 4-Larceny from a dwelling house.

Specification—In tids, that Private Charles Caranaugh, Company H. 9th Infantry, did unlawfully enter the dwelling house of Ellen Keenard, in Laramie City, W. T., and did feloniously take, steal and carry away therefrom the following described property, to wit: fourteen dollars and sixty cents, national and fractional currency; one pair of ear-riugs of the value of one dollar, more or less; one pair of cuff buttons of the value of two dollars, more or less; one breast pin of the value of one dollar, more or less; aggregating a total value of five dollars, more or less, and all the property of the said Ellen Keenanl. This at Laranule City, W. T., on or about August 14th, 1871.

PLEA-To the specification 1st charge-Guilty.

To the 1st charge-Guilty.

To the specification 2d charge-Guilty.

To the 2d charge-Guilty.

To the specification 3d charge—Not Guilty. To the 3d charge—Not Guilty.

To the specification 4th charge-Not Guilty.

To the 4th charge—Not Guilty.

FINDING—Of the specification 1st charge—Guilty.

Of the 1st charge-Guilty.

Of the specification 2d charge-Guilty.

Of the 2d charge-Guilty.

Of the specification 3d charge—Guilty, excepting the words "forty dollars," substituting therefor the words "about forty dollars."

Of the 3d charge-Guilty.

of the specification 4th charge—Guilty, excepting the words "unlawfully enter the dwelling house of Ellen Kennerd, in Laramic City, W. T., and did;" and the word "therefrom;" and the words "fourteen dollars and sixty cents, national and fractional currency;" and the words "the said;" and adding after the words "Ellen Keenard" these words, "of Laramic City, W. T.;" and of the excepted words—Not Guilty.

Of the 4th charge—Guilty, excepting the words "from a dwelling house," and of the excepted words—Not Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States; and then to be confined in such penitentiary as the Department Commander may designated for the period of two years." In this case the findings under the fourth charge are disapproved, the testimony being deemed insufficient to justify a conviction. There is no evidence whatever that the prisoner was in or near the house of Ellen Keenard, on the day in question; and though the possession of stolen goods twenty-four hours after the larceny is prima facte proof of prisoner's guilt, yet under the eigenmentances of the present case it is by no means conclusive.

The findings to the third charge are also open to criticism. The pocket-book of Bundcher containing, according to the testimony, about thirty dollars in paper and six dollars in silver, (though the latter point is not free from doubt), was placed by its owner on a bed on which the prisoner was lying asleep. On awaking, the latter saw it and took it in his hand, and was so found by its owner. There is no evidence that he took out, or touched the paper money. He cannot, therefore, be convicted of having stolen it. The evidence would seem to show that he did take out some silver from the pocket book; but even this is made doubtful by the evidence of Rundcher's subsequent boasts of having "beaten" the prisoner out of some silver, and of his threats against the latter on the ground of jealousy. Although, therefore, a conviction of the prisoner for constructive larceny of a few dollars in silver, which he immediately returned, might be deemed sustianable under the proofs, the reviewing authority prefers to give him the benefit of the doubt, and the findings under this charge are also disapproved.

The findings under the first and second charges are approved.

The sentence is disapproved, with the exception of the forfeiture of all pay and allowances, which is approved and mitigated to forfeiture of eight dollars per month of his pay for four months, and as modified will be duly executed.

Private Cavanaugh will be restored to duty.

II. Before a General Court Martial which convened at Fort McPherson, Xeb., pursuant to Paragraph 5. Special Orders No. 13. current series from these Headquarters, and of which Major Eagene A. Carr., 5th Cavalry, is President, and 2d Lientenant Earl D. Thomas, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Thomas H. DeLaney, Company II, 5th Cavalry. Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving, for six months, and to forfeit ten dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in this case are approved, but the sentence is modified to read "five dollars" instead of "ten dollars;" and as mitigated will be duly executed.

2d. Private Richard De Kuhn, Company K, 5th Cavalry. Charge—Desertion.

PLEA-Not Guilty.

FINDING-Not Gnilty, but guilty of absence without leave.

SENTENCE—"To forfeit all pay or allowances now due, and to make good the time lost by his absence without leave."

In this case the proceedings and fluidings are approved. To the reviewing authority the sentence seems to preserble a punishment inadequate for so long an unauthorized absence. It is, however, confirmed, and will be duly executed. Private De Kirka will be released from confinement.

III. The General Court Martial convened at Fort Fetterman, W. T., pursuant to Paragraph, 1 Special Orders No. 98, current series from these Headquarters, and of which Licatenant Colonel George A. Woodward, 14th Infantry, is President, and 1st Licatenant Robert P. Warren, 14th Infantry, Judge Advocate, is hereby dissolved.

IV. The General Court Martial convened at Camp Cameron, Neb., pursuant to Paragraph 5, Special Orders No. 134, enreut series from these Headquarters, and of which Captain Edwin Pollock, 9th Infantry, is President, and Assistant Surgeon Charles Mackin, Jr., Medical Department, Judge Advocate, is hereby dissalved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adiutant General.

OFFICIAL.

G. C M.

CAMP DOUGLAS.

- Private John Walden, Company H, 7th Infantry. FORT LARAMIE.
- Private George Batho, Regimental Band, 14th Infantry. FORT FETTERMAN.
- 1. Hospital Steward John M. Walsh, U. S. Army.
- 2. Private James Lindsay, Company D, 14th Infantry.
- 3. Private William Moran, Company F. 14th Infantry.
- 4. Private William Conelly, Company F, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha. Nebraska, October 6th, 1871.

GENERAL ORDERS, No. 63.

I. Before a General Court, Martial which convened at Camp Dong'as, U. T., pursuant to Paragraph 1, Special Orders No. 124. current series from these Headquarters, and of which Colonel P. R. DeTrobriand. 13th Infantry, is President, and Captain Mfyed L. Hough, 13th Infantry, Judge Advocate, was arraigned and tried:

1st. Private John Walden, Company H, 7th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for six months and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

H.-Before a General Court Martial which convened at Fort Laramie, W. T., pursuant to Paragraph 2, Special Orders No. 141, current series from these Headquarters, and of which Captain Augustus H. Bainbridge, 14th Infantry, is President, and Assistant Surgeon Robert M. O'Reilly, Medical Department, Judge Advocate, was arraigned and tried: 1st. Private George Batho, Regimental Band, 14th Infantry.

CHARGE 1-Violation of the 44th Article of War.

Charge 2—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that the said Private George Batho. Musician. Regimental Band, 14th Infantry. did say to Henry Brazler, Band Leader, 14th Infantry, when asked why he was absent at guard mount, that he had been excused by the Adjutant; which was false. This at Fort Laramie, W. T., on or about Angust 28th, 1871.

Specification 2—In this, that the said Private George Batho. Musician, Regimental Band, 14th Infantry, did say to 20 Lieutenant William W. McCammon, Regimental Adjutant, 14th Infantry, in charge of 14th Infantry Band, when asked by that officer why he was absent from gnard mount, that he had been excused by the Band Leader; which was talse. This at Fort Laramie, W. T., on or about Angust 28th, 1871.

CHARGE 3—Disobedience of orders, to the prejudice of good order and military discipline.

CHARGE 4-Violation of the 45th Article of War.

PLEA-To the specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the 1st specification 2d charge-Not Gnilty.

To the 2d specification 2d charge—Guilty, except the words "which was false," and to the excepted words —Not Guilty.

To the 2d charge-Not Guilty.

To the specification 3d charge-Not Guilty.

To the 3d charge-Not Guilty.

To the specification 4th charge- Not Gnilty.

To the 4th charge-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of three months, and to forfeit to the United States ten dollars per month of his monthly pay for the period of six months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

III. Before a General Court Martial which convened at Fort Fetterman, W. T., pursuant to Paragraph I, Special Orders No. 167, current series from these Headquarters, and of which Lieutenant Colonel George A. Woodward, 14th Infantry, is President, and 1st Lieutenant Robert P. Warren, 14th Infantry, Judge Advocate, were arraigned and tried;

1st. Hospital Steward John M. Walsh, U. S. Army.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In that Hospital Steward John M. Walsh. U. S. Army, did, whitont sufficient provocation, as-ault Private Etheard Sheehan. Company F, 14th Infantry, by beating him with a broom handle and revolver. This at Fort Fetterman, W. T., on or about August 13th, 1871.

Specification 2—In that Hospital Steward John M. Watsh, U. S. Army, did use abusive language towards Private Educard Sheehan, Company F, 14th Infantry, by calling him a "son of a b—h." This at Fort Fetterman, W. T., on or about Angust 13th, 1871.

PLEA-Not Guilty.

FINDING—Of the 1st specification—Guilty, except the words
"and revolver" and of the excepted words—Not

Guilty.

Of the 2d specification—Guilty.

Of the charge-Gnilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for two months."

The proceedings, findings, and sentence in this case are ap-

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed. Hospital Steward Walsh will be restored to duty.

2d. Private James Lindsay, Company D, 14th Infantry.

CHARGE—Neglect of daty, to the prejudice of good order and military discipline.

Specification 1— In this, that Private James Lindsay, Company D, 14th Infantry, a duly enlisted soldier in the service of the United States, and a member of the post guard and placed in charge of Private John Coulman, Company F, 14th Infantry, a prisoner, did allow said prisoner to escape. This at Fort Fetterman, W. T., on or about July 27th, 1871.

Specification 2—In this, that Private James Lindsey, Company D, 14th Infantry, a member of the post guard, and having charge of Private Atterno Smith. Company D, 14th Infantry, a prisoner, dial low said prisoner to escape. This at Fort Fetterman. W. T., on or about September 8th, 1871.

PLEA-Not Guilty. FINDING-Guilty.

SENTENCE— To forfeit to the United States twelve dollars per month of his monthly pay for two months."

The proceedings in this case are approved. In deference to the judgment of the Court, the findings and sentence are also approved. The Department Commander, however, sees in the evidence so strong a possibility of the prisoner's freedom from blame in the matter charged that he feels himself justified in remitting, and therefore does remit, the forfeiture pronounced in the sentence. The prisoner will be restored to duty.

3d. Private William Moran, Company F, 14th Infantry.
Charge—Conduct to the prejudice of good order and military

discipline.

Specification 1—In that Private William Moran, Company F. 14th Infantry, did commit an unprovoked assault on Private Robert Moore, Company F. 14th Infantry, by striking him with his fist. This in the quarters of Company F, 14th Infantry, at Fort Fetterman, W. T., on or about the 3d day of September, 1871.

Specification 2—In that Private William Moran. Company F. 14th Infantry, while being taken to the guard house by Corporal William J. Murphy. Company F, 14th Infantry, he, Corporal Murphy, being in the execution of his office, did brutually assurabled Corporal Murphy, by striking him with his first and bitting him on the cheek. This at Fort Fetterman, W. T., on or about the 3d day of September, 1871.

PLEA-To the 1st specification-Not Guilty.

To the 2d specification—Guilty. To the charge—Guilty.

FINDING-Of the 1st specification-Not Guilty.

Of the 2d specification-Guilty.

Of the charge-Guilty.

SENTENCE—"To forfeit to the United States twelve dollars per month of his monthly pay for two months." The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Private Moran will be released from confinement.

4th. Private William Conelly, Company F, 14th Infantry,

Charge—Conduct to the prejudice of good order and military discipline.

Specification 1—In that Private William Conelly, Company F, 14th Infantry, was drunk and disorderly in the quarters of Company F, 14th Infantry. This at Fort Fetterman, W. T., on or about September 10th, 1871.

Specification 2—In that Private William Concily, Company F. Hith Infantry, having been ordered to the guard house, and being under charge of Sergeant James B. Welmar, Company F. 14th Infantry, did buckle on his cartridge belt and take his musket in his hand with the evident intention of resisting said Sergeant Welmar, and after having been disarmed by Sergeant Welmar, and while on his way to the guard house, did say to 1st Sergeant II E. Steeart, Company F. 14th Infantry: "I will fix you for this, you d—d * * *," or words to that effect. This at Fort Fetterman, W. T., on or about Sextember 0 tolt, 1871.

PLEA-Not Guilty.

FINDING-Of the 1st specification-Guilty.

Of the 2d specification—Guilly, except the words "with the evident intention of resisting said Sergeant Weimar;" and of the excepted words—Not Guilry.

Of the charge-Gnilty.

SENTENCE—"To forfeit to the United States eight dollars per month of his monthly pay for four months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

Private Conelly will be released from confinement.

IV. The General Court Martial convened at Camp Stambaugh, W. T., pursuant to Paragraph 1, Special Orders No. 156, enrent series from these Headquarters, and of which Major Edvin F. Towssend, 5th Infantry, is President, and 1st Lleutenam Rundolph Norwood, 2d Cavalry, Judge Alvocate, is hereby dissolved.

V..The General Court Martial covened at Fort Sanders, W.T., pursuant to Paragraph I, Special Orders No. 164. current series from these Headquarters, and of which Lieutenant Colonel Lather P. Bradley, 9th Infantry, is President, and 1st Lieutenant George F. Price, 5th Cavalry, Judge Advocate, is hereby dissolved.

VI. The General Court Martial convened at Camp Douglas, U. T., pursuant to Paragraph I, Special Orders No, 124, current series from these Headquarters, and of which Colonel P. R. De Trobriand, 13th Infantry, 4ig President, and Captain Affred L. Hough, 13th Infantry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES, Assistant Adjutant General

OFFICIAL.

un



G. C. M.

FORT LARAMIE.

- A. Private Taylor Crowl, Company M, 5th Cavalry.
- 2. Private George Neuner, Company I, 14th Infantry. Private Louis Schaeffer, Regimental Band, 14th Infantry.
- 55, J. Private Fred. Brendig, Company I, 14th Infantry.
 - 5. Private Willis W. Burd, Company B. 14th Infantry.
 - 6. Corporal Thomas Logan, Company H, 14th Infantry,
 - V. 7. Private James Baker, Company A, 14th Infantry. 8. Private John Cawley, Company A, 14th Infantry,

 - 9. Wagoner William Johnson, Company I, 14th Infantry,

HEADQUARTERS DEPARTMENT OF THE PLATTE. Omaha, Nebraska, October 21st, 1871,

GENERAL ORDERS, ? No. 64.

I. Before a General Court Martial which convened at Fort Laramie, W. T., pursuant to Paragraph 2, Special Orders No. 141, current series from these Headquarters, and of which Captain Augustus H. Bainbridge, 14th Infantry, is President, and Assistant Surgeon Robert M. O'Reilly, Medical Department, Judge Advocate, were arraigned and tried:

1st. Private Taylor Crowl, Company M. 5th Cavalry,

CHARGE-Descriton.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To forfeit to the United States ten dollars per month of his monthly pay for the period of six months. The Court is thus lenient in consideration of the prisoner's

having surrendered himself, and on account of his previous good character."

The proceedings, findings, and sentence in this case are anproved. Lenient as the sentence is for a crime so scrious, the general good character of the prisoner induces the Department Commander to mitigate it. The fine is therefore reduced to five dollars per month for six months.

As modified the sentence will be duly executed. The prisoner will be restored to duty.

2d, Private George Neuner, Company I, 14th Infantry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to torfeit to the United States all pay and allowances that are or may become due him, except the just dues of the laundress, and the necessary clothing; to be indelibly marked on the left hip with the letter D two and a half inches long; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved and to be drummed out of the service."

The proceedings in this case are approved with the exception of the omission of the Judge Advocate to state the reason for the absence of Captain Davis, 14th Infantry, from the trial. If such absence was caused by illness, a surgeon's certificate should have been appended to the record.

The findings and sentence are approved and the sentence will be duly executed.

3d. Private Louis Schaeffer, Regimental Band, 14th Infantry. CHARGE-Violation of the 44th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To forfeit to the United States ten dollars of his monthly pay for the period of one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Fred Brendig, Company I, 14th Infantry.

CHARGE-Desertion. PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE-" To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to fortelt to the United States all pay and allowances that are or may become due him, except the just dues of the laundress and the necessary elothing; to be indelibly marked on the left hip with the letter D two and a half inches long; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved and to be drummed out of the service."

The proceedings, findings and sentence in this case are approved.

In view of the readiness with which the prisoner is shown by the testimony to have abandoned his intention to desert, the sentence is modified to read as follows:

To be confined at hard labor in charge of the guard, with ball and chain, for three months, and to forfeit eight dollars per month of his pay for the same period.

As mitigated, the sentence will be duly executed.

5th. Private Willis W. Burd, Company B, 14th Infantry.

Силкве—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private Willis W. Burd, Company B. 14th Infantry, having been regularly detailed for guard, did become so much under the influence of intoxicating liquor as to unfit him to mount guard. This at Fort Laramie, W. T., September 220, 1871.

Specification 2—In this, that Private Willis W. Burd. Company B. 14th Infantry, did become drunk in his company quarters, and when ordered to the guard house by Acting 1st Sergeant Michael Fagan. Company B. 14th Infantry, he being in the excention of his duty, did refuse to go, and did attempt repeatedly to strike the said Sergeant Fagan, and did use insulting and abusive language towards the said Sergeant Fagan, to wit; "You are a God d—d llar, and a son of a b—h." This at Fort Laramic, W. T., on the 22d day of September, 1871.

Specification 3—In this, that Private Willis W. Burd, Company B, 14th Infantry, did become drunk in his company quarters, and when ordered to the guard house by Acting 1st Sergeant Michael Fagan, Company B, 14th Infantry, he being in the execution of his office, did refuse to go, and did seize his bayonet and threaten violence against the enlisted men of Company B, 14th Infantry, and did make use of the following words, to wit: "I will send some to their graves before I go to the guard house." This at Fort Laramic, W. T., on the 22d day of September, 1871. Specification 4—In this, that Private Willis W. Burd, Company B, 14th Infantry, did become drunk in his company quarters, and when being taken to the guard house did refuse to go, and did foreibly resist the efforts of Sergeant Patrick Sheridan, and Corporal Frank Boulo, Company B, 14th Infantry, to take him to the guard house, and did continue to resist, and did repeatedly strike with his fist the said Sergeant Sheridan, Company B, 14th Infantry, and did use towards him (Sheridan) the following words, to-wit: "You are a d—d sou of a b—h." This at Fort Laramle, W. T., on the 23d day of September, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for the period of three months, and to forfeit to the United States the sum of ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Corporal Thomas Logan, Company H, 14th Infantry.

CHARGE 1-Violation of the 45th Article of War.

 $\ensuremath{\mathsf{CHARGE}}$ 2—Conduct to the prejudice of good order and military discipline.

Specification—In this, that Corporal Thomas Logan, Company II, 14th Infantry, a duly enlisted soldier in the army of the United States, on duty as Acting Commissary Sergeant in the Sqbsistence Department at Fort Laramic, W. T., having been ordered under arrest to his quarters by 1st Lieutennt C. H. Warrens, 14th Infantry. A. C. S., on or about the 20th day of September, 1871, did break his arrest, and was seen on the day after having been ordered to his quarters under arrest, in the the bar-room at the post trader's and elsewhere about the post of Fort Laramic, W. T., without proper authority. This at Fort Laramic, W. T., on or about September 10th, 1871.

Plea-To the specification 1st charge-Not Guilty.

To the 1st charge-Not Guilty.

To the specification 2d charge—Guilty. To the 2d charge—Not Guilty.

FINDING-Guilty.

SENTENCE-"To be reduced to the rank of a private soldier, to be confined at hard labor in charge of the guard for three days, and to forfeit to the United States five dollars per month of his mouthly pay for the period of three mouths,"

The proceedings, findings, and sentence in this case are approved, but on account of the prisoner's general good character the forfeiture of pay is remitted. As mitigated, the sentence will be duly executed.

7th. Private James Baker, Company A, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the gnard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and the necessary clothing; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceedings, findings and sentence in this case are approved, but in view of the past good character of the prisoner the term of confinement is reduced to one year.

As mitigated, the sentence will be duly executed.

8th. Private John Cawley, Company A, 14th Infantry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances due or that may become due him, except the just dues of the laundress and the necessary clothing; to be indelibly marked on the left hip with the letter D two and a half inches long; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved, but in consideration of the past good character of the prisoner the term of confinement is reduced to one year.

As mitigated, the sentence will be duly executed.

9th. Wagoner William Johnson. Company I, 14th Infantry. Charge—Desertion.

PIEA-Guilty

FINDING-Guilty.

SENTENCE—"To be contined at hard labor in charge of the guard for the period of two years, wearing a twelve pound battached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances that are or may become the him, except the just dues of laundress and the necessary clothing; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to one year. As mitigated, the sentence will be duly executed.

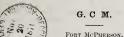
By Command of Brigadier General Augur: GEO. D. Ruggles, Assistant Adintant General.

OFFICIAL.

Aide-de-Camp.







vate Grarles Fisher, Company L, 5th Cavalry.

- William R. Wick, Company F, 5th Cavalry. 3. Private Norman W. Overholt, Company F, 5th Cavalry,
- √ 4. Private William H. Haskill, Company L., 5th Cavalry.
- 5. Private John Feeny, Company L, 5th Cavalry,

6. Private James Robinson, Company II, 5th Cavalry.

FORT LARABUE.

- 7. Private Frederick Maerker, Company II, 14th Infantry.
 7. Private William Kennington, Company A, 14th Infantry.
 - Ja. Private James McKeon, Company H, 14th Infantry.
 - 4. Private Thomas Delaney, Company H, 14th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE. Omaha, Nebraska, October 23, 1871.

GENERAL ORDERS, } No. 65.

I. Before a General Court Martial which convened at Fort Mc-Pherson, Neb., pursuant to Paragraph 5, Special Orders No. 143, current series from these Headquarters, and of which Major Eugene A. Carr. 5th Cavalry, is President, and 2d Lieutenant Earl D. Thomas, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Charles Fisher, Company L, 5th Cavalry.

CHARGE-Theft, to the prejudice of good order and military discipline.

Specification-In this that he, Private Charles Fisher, Company L, 5th Cavalry, did, on the morning of the 10th of September, 1871, between the hours of 4 and 6 o'clock a.m., feloniously steal from the stables of L Company, 5th Cavalry, two sacks of forage (about six bushels), valued at about five dollars each, the propcrty of the United States, and did dispose of the same to one All this at or near Fort McPherson, Jack Dorr, a citizen. Nebraska, on or about the date and hours specified above.

PLEA-Not Guilty.

FINDING-Not Guilty; and the Court does therefore acquit him.

The proceedings, findings and acquittal in this case are, not without some hositation, approved, as it is difficult to believe that the prisoner was not aware of the criminality of his act. Private Fisher will be restored to duty.

2d. Private William R. Wick, Company F, 5th Cavalry.

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specifications—Not Guilty. Finding—Of the specification 1st charge—Guilty.

Of the 1st charge-Guilty.

Of the 1st specification, 2d charge-Guilty.

Of the 2d specification, 2d charge-Not Guilty.

Of the 2d charge-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for one year, wearing a ball and chain of the usual dimeusions; and to forfeit ten dollars per month of his monthly pay for the same period."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Norman W. Overholt, Company F, 5th Cavalry. Charge—Desertion.

CHARGE-Desertion

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of eight months, wearing a ball and chain of the usual dimensions, to forfeit eight dollars per month of his monthly pay for the same period; and to make good the time lost by desertion."

The Court is thus lenient on account of the apparent youthfulness of the accused.

The proceedings, findings and sentence in this case are approved, but in view of the disease under which the prisoner is suffering, the ball and chain are remitted.

As mitigated, the sentence will be duly executed.

4th. Private William H. Haskill, Company L, 5th Cavalry.

CHARGE 1—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private William H. Hoskill, Company L. 5th Cavalry, did tell Farrier Segasser, Company L, 5th Cavalry, that Lieutenant A. E. Woolson, 5th Cavalry, directed him (Segasser) to make a key to fit a fancet in a liquor cask belonging to Lieutenant A. E. Woolson, 5th Cavalry; or words to that effect; all of which was wilfully false and intended to deceive said Farrier Segasser. All this at Fort McPherson, Nebraska, on or about the 23d day of September, 1871.

Specification 2—In this that he, Private William H. Heakill, Company L., 5th Cavalry, did purchase a key, which key he filed with the intention to make it fit a fluoret in a liquor cask belonging to Lieutenant A. E. Woolson, 5th Cavalry, for the purpose of feloniously taking liquor therefrom. All this at Fort McPherson, Neb., on or about the 23d day of September, 1871.

Specifica ion 3—In this that he, Private William II Haskill, Company L, 5th Cavalry, did enter the quarters of Lieutenant A. E. Woodson, 5th Cavalry, and did feloniously take, steal and carry away therefrom one bottle containing whiskey. All this at Fort MePherson, Neb., on or about the 25th day of September, 1871.

CHARGE 2-Absence without leave.

Charge 3—Disobedience of orders, in violation of the 9th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTERCE—"To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress; to be confined at hard labor in charge of the guard for one year; and at the expiration of his term of confinement to be dishonorably discharged the service of the United States."

The proceedings, findings and sentence in this case are approved, but the term of confinement is reduced to six months.

As mitigated, the sentence will be duly executed.

5th. Private John Feeny, Company L, 5th Cavalry, CHARGE 1—Violation of the 45th Article of War. CHARGE 2-Neglect of duty, to the prejudice of good order and military discipline.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor under charge of the guard for six months, and to forfeit ten dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved, but the sentence is modified to read "three months" instead of "six months;" and as mitigated will be duly executed.

6th. Private James Robinson, Company H, 5th Cavalry,

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private James Robinson, Company II. 5th Cavalry, did, after taps and while in a state of intoxication, forebly enter the quarters of Mrs. Henry Voss, laundress of H Company, 5th Cavalry, after she had retired for the night, she being at the time the only occupant, and did there conduct himself in an unscendy manner, putting her in fear of bodily harm; and did continue such conduct until he was removed by the gnard. This at Fort McPherson, Nebraska, on or about October 3d, 1871.

PLEA-Not Guilty.

FINDING-Of the specification-Guilty, except the word "forcibly" and the words "and did there conduct him-

bly" and the words "and did there conduct himself in an unseemly manner," and "and did continue such conduct;" and of the excepted words—Not Guilty.

Of the charge-Guilty.

SENTENCE—"To be confined at hard labor in charge of the gnard for two months, and to forfeit to the United States five dollars per month of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

II. Before a General Court Martial which convened at Fort Laramie, W. T., pursuant to Paragraph 2, Special Orders No. 141, current series from these Headquarters, and of which Captain Augustus II. Bainbridge, 14th Infantry, is President, and Assistant Surgeon Robert M. O'Reilly, Medical Department, Judge Advocate, were arraigned and tried:

1st. Private Frederick Maerker, Company II, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Private Frederick Maerker, Company II, 14th Infantry, after being duly warned for guard by 1st Sergeant Joseph Lenning, Company II, 14th Infantry, did become so much under the influence of intoxicating liquor as to be unable to perform properly the duties required of him. All this at Fort Laramie, W. T., on or about the 11th day of October, 1871.

PLEA-To the specification-Guilty.

To the charge-Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States five dollars per month of his monthly pay for the period of two months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private William Kennington, Company A, 14th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this, that Private William Kennington, Compony A. 14th Infantry, having been regularly detailed for guard, did become so much under the influence of intoxicating liquor as to be unable to perform the duty for which the had been detailed, in a proper manner.

Specification 2—In this, that Private William Kennington, Company A, 14th Infantry, did commit unisance on the floor of the company quarters.

All this at Fort Laramie, W. T., at or about guard mounting, on or about the 13th of September. 1871.

PLEA-Guilty.

FINDING-Gnilty.

SENTENCE—"To forfeit to the United States six dollars per month of his monthly pay for the period of three months,"

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

'3d. Private James McKeon, Company H, 14th Infantry.

 ${\tt CHARGE--Desertion.}$

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his logs by a cleain six feet long; to forfeit to the United States all pay and allowances that arc or may become due him, except the just dues of the laundress and the necessary clothing; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceediars, fluidures, and sentence in this case are ap-

proved and confirmed, and the sentence will be duly executed.

4th. Private Thomas Delaney, Company H, 14th Infautry.

CHARGE-Descrition.
PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of two years, wearing a twelve pound ball attached to one of his legs by a chain six feet long; to forfeit to the United States all pay and allowances that are or may become due him, except the just dues of the laundress and the necessary clothing; and at the expiration of his term of confinement to be dishonorably discharged, to have his head shaved, and to be drummed out of the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

By Command of Brigadier General Augur: GEO, D. RUGGLES,

tant Adiatant Conomal

Assistant Adjutant General.

OFFICIAL.





G. C. M.

FORT D. A. RUSSELL,

- Private Peler P. Ryan, Company B, 9th Infantry.
- 2. Private John Kelly, Company E, 5th Cavalry,
- Private Henry Brien, Company B, 5th Cavalry,
 Private Lyndall Jamison, Company E, 5th Cavalry,
- 4. Private Lyndall Jamison, Company E, 5th Cava
- 5. Private George Weber, Company B, 5th Cavalry, Private Patrick Collons.
- 6. Private Tatrick Collopy, Private Michael McManns. Company G, 9th Infantry.
- Private William H. Wallace, Company B. 5th Cavalry.
 Private William Anderson, Company C. 5th Cavalry.
 - FORT MCPHERSON.
- Private Peter Higgins, Company A, 5th Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, November 4, 1871.

No. 66.

L.Before a General Court Marial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 2, Special Orders No. 179, current series from those Headquarters, and of which Major E. W. Crittenden, 5th Cavalry, is President, and 1st Lieutenant George F. Price, 5th Cavalry, Judge Advocate, were arraigned and tried:—

1st. Private Peter P. Ryan, Company B, 9th Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

Specification—In this, that Private Peter P. Ryan, Company B, 9th Infantry, did feloniously take, steal and carry away from the skitchen of said company, one piece of fresh meat about twelve pounds in weight, part of rations of said company. This at Fort D. A. Russell, W. T., on or about the 22d day of September, 1871.

PLEA-Not Guilty.

FINDING-Guilty.

SEXTEXUE—"To be dishonorably discharged; to forfeit all pay due or to become due; to have his head shaved and to be drummed out of the garrison,"

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private John Kelly, Company E, 5th Cavalry.

CHARGE-Drunkenness on duty, in violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving for the period of four mouths, wearing a ball weighing twelve pounds attached to his left leg by a chain four feet long."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Henry Brien, Company B, 5th Cavalry.

CHARGE 1-Desertion.

CHARGE 2-Theft, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE.—"To forfeit to the United States all pay and allowances due or to become due; to be dishonorably discharged the service of the United States; to be indelibly marked on the left hip with the letter D three inches long, and then be confined in such penitentiary as the Department Commander may designate for a period of five years."

The proceedings, findings, and sentence in this case are approved, but the term of imprisonment is reduced to two years. As modified, the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

4th. Private Lyndall Jamison, Company E, 5th Cavalry.

Charge 1—Violation of the 44th Article of War.

CHARGE 2—Conduct to the prejudice of good order and military discipline.

Specification 1-In this, that Private Lyndall Jamison, Company

E, 5th Cavalry, having been ordered to the guard house by 1st Sergeant Hernard Moran, Company E, 5th Cavalry, did make use of the following disrespectful and insolent hanguage towards the said 1st Sergeant, viz:—"You can prefer charges against me now, von son of a h—h, you dirty bastard:" or words to that effect; and did otherwise conduct thinself in a very insuling manner. This in the bowling alley owned by the post trader at Fort D. A. Russell, W. T., between the hours of 1 o'clock p. m. and 2 o'clock p. m., on the 7th day of October, 1871.

Specification 2—In this, that Private Lyndall Jamison, Company E, 5th Cavalry, did, while being conducted to the guard house by Corporal George Bolster, Company E, 5th Cavalry, commence severing in a loud and boisterous manner, thereby disturbing the peace of the garrison; and did make use of the following threatening language, viz: "You cowardly son of a b—b, you have to take a board or something else at me; if I had a carbine or pistol I would blow your d—d brains out;" the said language being intended for lat Sergeant Becurd Moran. Company E, 5th Cavalry. This at Fort D. A. Russell, W. T., on the 7th day of October, 1871.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"I'd be confined at hard labor in charge of the guard for the term of three months, and to forfeit eight dollars of his monthly pay for the same period."

The proceedings, findings, and sentence in this case are approved. The conduct of the prisoner was highly insubordinate. His steady character during several years of service is believed, however, to justify a element consideration of his case, and the term of confinement is therfore mitigated to one month. As modified the sentence will be duly executed.

5th. Private George Weber, Company B, 5th Cavalry.

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Guilty.

FINDING-Guilty.

Sentence—"To forfeit to the United States all pay and allowances due or to become due; to be dishonorably discharged the service of

the United States; to be indelibly marked on the left hip with the letter D three inches long; and then to be confined in such penitentiary as the Deportment Commander may designate for a period of five years."

The proceedings, findings, and sentence in this case are approved, but the term of confinement is reduced to two years. As mitigated, the sentence will be duly executed.

The peninentiary nt Fort Madsion, lowa, is designated as the place of confinement, where the prisoner will be conducted under suitable gnard, and burned over to the warden of the peninentiary with a copy of this order

6th. Private Patrick Collopy, and Private Michael McManus, Company G, 9th Infantry.

CHARGE 1—Violation of the Act of Congress approved March 2, 1863, entitled "An Act to prevent and punish frauds upon the Government of the United States."

Specification—In this, that Private Patrick Callogy, Company G. 9th Infantry, and Private Michael McManus, Company G. Dafatry, did, at the eamp of Lieuteman Miller, 9th Infantry, at onear Chug Water Station, W. T., on or about the 28th day of September, 1871, feloniously take, steal and carry away, and did wrong-fully and knowingly sell, convey or dispose of, three Springfield rille muskets, of the value of fifty dollars each, aggregating a total value of one hundred and fifty dollars, and all the property of the United States; and for two of which Capuain John D. Devin, 9th Infantry, was responsible, and Captain Thomas B. Burroaces, 9th Infantry, responsible for one.

This at the place and on or about the date above specified.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

PLEA-Not Guilty.

FINDING—Unity.

SEXTEXUE—"To forfeit all pay and allowances now due or to become due; to be dishonorably discharged the service of the United States; and then to be confined in such state penitentiary as the De-

partment Commander may designate for a period of five years."

The evidence in this case shows that on the day alleged three gams were missed from the camp of the military detachment to which

the prisoners belonged; that the detachment was at once assembled and the prisoners found absent; that the prisoners guns were then in eamp, and that the prisoners had been seen shortly before to leave camp with two guns and return with none. The inference is irresistable that they stole and disposed of, at least two of the missing pieces; though it is to be regretted that the prosecution failed to trace the stolen arms.

The proceedings, findings, and sentences are approved and confirmed, and the sentences will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoners will be conducted under suitable guard and turned over to the warden of the penit utiary with a copy of this order.

7th. Private William II. Wallace, Company B, 5th Cavalry.

Charge—Désertion.

PLEA-Guilty.

Fixning-Guilty.

SEXTEXUE.—"To forfeit to the United States all pay and allowances due or to become due; to be indelibly marked on the lefthip with the letter D one and one-half 'inches long; to be dishonorably discharged the service, and be bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved, In view, however, of certain palliating features in the case and his unimpenchable conduct since his arrest, while on parole at Omaha Barmeks, the sentence is shiftgated to confinement for three months in charge of the guard; and as modified will be duly executed.

8th. Private William Anderson, Company C, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—"To forfeit to the United States all pay and allowarces due or to become due; to be indelibly marked on the left hip with the letter D one and one-half inches long; to be dishonorably discharged the service and burled out of the garrison."

The proceedings, findings, and sentence in this case are approved. In view, however, of the prisoner's voluntary return and other pallating circumstances in the case, the sentence is mitigated to confinement for two months in charge of the guard; and as modified will be duly executed.

H...Before a General Court Martial which convened at Fort Me Pherson, Neb., pursuant to Paragraph 5, Special Orders No. 143, current series from these Headquarters, and of which Major Engene A. Carr, 5th Cavalry, is President, and 2d Lientenant Earl D. Thomas, 5th Cavalry, Judge Advocate, was arraigned and trieds—

1st. Private Peler Higgins, Company A, 5th Cavulry.

CHARGE 1-Desertion.

CHARGE 2—Theft, to the prejudice of good order and military discipline.

Specification—In this, that Private Peter Higgins, Company A, 5th Cavalry, did unlawfully take, steal and carry away one Sharps altered carbine and thirty centre-primed metallic carridges for Sharps' carbine, Cal. 50, the property of the United States, and for which Captain Robert P. Wilson, 5th Cavalry, is responsible.

This at Cheyenne, W. T., on or about August 1, 1871

PLEA-Not Guilty.

Finding—Of the specification lst charge—Guilty, except the words "did desert said service," and substituting therefor "did absent himself without leave."

> Of the 1st charge—Not Guilty of desertion, but guilty of absence without leave.

Of the specification 2d charge—Guilty, except the words "unluwfully steal, take or carry away," "and thirty centre-primed metallic catridges, Cal. 50;" and of the excepted words—Not Guilty.

Of the 2d charge—Not Guilty of theft, but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE—"To be confined at hard labor in charge of the guard for two months; to forfeit eight dollars per month of his monthly pay for the same period; and to make good the loss of one Sharps' carbine (altered, Cal. 50,) to the United States."

In this case the specification to the 2d charge is deprived of meaning by the amendment; and the findings under that and the 2d charge are disapproved. The findings under the 1st charge are approved. The sentence is approved, but the forfeiture of eight are per month is remitted. The loss of the carbine will be made good by the prisoner either in money or by the return of the weapon.

On the second day of the trial of this case Major E. A. Carr, 5th Cavalry, who was absent on account of illness at the previous session, appeared and took his seat. The record reads as follows:—

"Major Carr here announced to the Court that as he was absent from the last sitting of the Court and had not been sworn in with the other members now present, he considered himself incompetent to take any further part in the proceedings in the case, notwithstandium no evidence had been taken."

"Major Carr then announced that he considered himself competent to decide upon his own eligibility to sit as a member in the case, and thereupon withdrew; without any action being taken by the other members of the Court in the matter.

The position taken by Major Carr was incorrect. The question of his eligibility was one for the decision, not of himself, but of the Court. Had he been challenged by the prisoner on the grounds stated by him, it would have been for the Court, not him, to determine whether he should remain or retire; but here the record shows that he first challenged himself, and then sustained the challenge on his individual judgment. The matter was in fact for the decision of the prisoner; at least in part. Major Carr having stated his reasons for deeming himself ineligible, the prisoner should have been asked if he desired to challenge that officer or objected to his sitting. Had he answered in the affirmative the Court would then have passed upon the question; if in the negative, thus waiving any exception, no further steps would have been needed. The sitting of Major Carr not being per se fatal to the validity of the subsequent proceedings, neither that officer nor the Court should have taken decisive action in the matter until it was ascertained that the prisoner refused to waive the objection.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant/General.

OFFICIAL:

Aide-de-Camp.



G. C. M.

ONAHA BARRACKS.

- 1. Private George Loring, Company C, 9th Infantry. 2. Recruit John E. McPherson, 2d Cavalry.
- 3. Private Henry C. Wickham, Company E. 2d Cavalry.
- 4 Private William E. Sim, Company A, 9th Infantry. 5. Private Solomon Garrett, Company E, 2d Cavalry.
- 6. Bugler John McLanghlin, Company M. 2d Cavalry.
- 7. Private John W. Long, Company A, 9th Infantry.
- 8. Recruit Joseph H. Hartup, 2d Cavalry,
- 9. Recruit John Kennedy, 2d Cavalry.
- 10. Private James McCarthy, Company E, 9th Infantry.
- 11. Recruit John Summers, 24 Cavalry,
- 12. Private William Peters, Company K, 9th Infantry,
- 13. Private James H. Williamson, Company K, 14th Infantry. 14. Private Charles Robinson, Company M, 2d Cavalry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, November 6, 1871.

GENERAL ORDERS, ! No. 67.

I...Before a General Court Martial which convened at Omaha Barracks, Neb., pursuant to Paragraph 1, Special Orders No. 184, current series from these Headquarters, and of which Lieutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and Assistant Surgeon John M. Dickson, Medical Department, Judge Advocate, were arraigned and tried:-

1st. Private George Loring, Company C, 9th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE-"To forfeit to the United States all pay and allowances due or to become due up to the date of the expiration of this sentence, except the just dues of the laundress; and to be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of six months."

The proceedings, findings, and sentence in this case are approved; but in view of the prisoner's voluntary surrender after a month's absence, the teru of confinement is reduced to three months. As mitigated, the sentence will be duly executed.

2d. Recruit John E. McPherson, 2d Cavalry.

CHARGE-Desertion.

Pi.ea-Guilty.

FINDING-Guilty.

SENTEXEX.—"TO be confined at hard labor in charge of the guard until the expiration of his term of service, having a ball weighing twelve pounds attached to one of his legs by a chain five feet long; to forfeit to the United States all pay and allowances that are or may become due, except the necessary clothing and the just dues of the laundress; and, at the expiration of his term of service, to be indelibly marked on the left hip with the letter D one and one-half inches long, and then dishonorably discharged from the service."

There are few military crimes of a graver character than that committed by this prisoner; uniting as he did to a violation of his oath of service, a breach of trust demanding the severest punishment. The proceedings, findings, and sentence are approved and con-

firmed, and the sentence will be duly executed.

3d. Private Henry C. Wickham, Company E. 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty.
FINDING-Guilty.

SENTEXCE—"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet long, for the period of two years; to forfeit all pay and allowances due him up to expiration of sentence except, the just dues of the laundress, and then to be indelible marked with the letter D

one and a half inches long, and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

CHARGE-Desertion.
PLEA-Guilty.

FixDing-Guilty.

⁴th. Private William E. Sim, Company A, 9th Infantry.

Sextence—"To be confined in charge of the guard at hard lubor, with a hall weighing twelve pounds attached to his leg by a chain five feet long, for the period of two years; to furfeit all pay and allowances due him up to expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with the letter D one and a half inches long and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private Solomon Garrett, Company E, 2d Cavalry.

CHARGE-Descrition.

PLEA-Guilty.

FINDING-Guilty.

SENTATE—"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg: by a chain five feet in length, for the period of two years; to forfeit all pay and allowances due him up to the expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with the letter D one and a half inches in length, and to be dishonorably discharged the service."

The proceedings, findings and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Bugler John McLaughlin, Company M, 2d Cavalry.

Charge—Desertion.

PLEA-Guilty.

FINDING—Guilty.

SEXTEXEE.—"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet in length, for the period of three years; to forfeit all pay and allowances due him up to expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with the letter D on the left hip one and one-balf inches long, and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved.

The processings, nonings, and sentence in this case are approved.

The voluntary return of the prisoner, though postponed too long, inclines the Department Commander to leniency in this case. The sentence is therefore mitigated to confinement for six months with ball and chain, and forfeiture of ten dollars per month for the same period; and as modified will be duly executed.

7th. Private John W. Long, Company A, 9th Infantry.

CHARGE Desertion. PLEA-Guilty.

FINDING-Guilty.

Sextence-"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to one of his legs by a chain five feet long, for the period of six months; and to forfeit all pay and allowances due and to become due, except the just dues of the laundress, up to expiration of sentence."

The proceedings, findings, and sentence in this case are approved. In view of the excellent character given the prisoner by his commanding officer, his faithful service in Chicago on parole, and the probability of his sincere repentance for his crime as indicated by his voluntary surrender, the sentence is remitted,

The prisoner will be restored to duty.

8th. Recruit Joseph II. Hartup, 2d Cavalry,

CHARGE-Theft, to the prejudice of good order and military discipline.

Specification-In, that Recruit Joseph H. Hartup, 2d Cavalry, did take away from the store-room of Company A, 9th Infantry, and sell or otherwise dispose of two improved Springfield breach loading rifles, valued at one hundred dollars, the property of the United States, and for which Captain William II, Jordan, 9th Infantry, is responsible. All this at or near Omaha Barracks, on or about October 17, 1871.

PLEA-To the specification-Guilty, except the words "sell or otherwise."

To the charge-Guilty.

FINDING-Of the specification-Guilty, except the words "sell or otherwise."

Of the charge-Guilty.

SENTENCE-"To forfeit to the United States all pay and allowances due and to become due him; to be confined at hard labor in such penitentiary or military prison as the Commanding General of the Department may designate for the period of two years; and to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The penitentiary at Fort Madison, Iowa, is designated as the place of confinement, where the prisoner will be conducted under suitable guard and turned over to the warden of the penitentiary with a copy of this order.

The dishonorable discharge will be given the prisoner previous to his confinement in the pentientiary.

9th. Recruit John Kennedy, 2d Cavalry.

Charge—Descrion. Plea—Not tinity.

PLEA-NOT GHILLY.

Finning-Guilty.

SEXTEXCE—" to forfeit to the United States all pay and allowances due and to become due up to the expiration of the sentence, except the just does of the launchross, and to be confined at hard labor in charge of the guard for the period of six months." The proceedings, flodings, and sentence in this case are approved

and confirmed, and the sentence will be duly executed.

10th. Private James McCarthy, Company E, 9th Infantry.

Charge-Desertion.

PLEA-Not Guilty.

Finding—Not Guilty, but guilty of absence without leave. Sextence—"To be confined at hard labor in charge of the guard

for the period of two months; and to forfeit to the United States all pay due or to become due until the expiration of his sentence, except the just dues of the laundress."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

11th. Recruit John Summers, 2d Cavalry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification—In this that he, Recruit John Summers, 2d Cavalry, being a Lance Sergeant in a detachment of recruits, having taken three or more men with him for the avowed purpose of capturing three deserters from said detachment, did go to a saloon in the vicinity of O.anha. Barracks and did remnit there for the space of half an hour, more or less, and did become intoxicated; and did fair to bring back said deserters, they being in said saloon at the time he reached it, he making no effort to capture them; and upon his return did create a disturbance in the quarters occupied by said detachment of recruits. All this at or near Omaha Barracks, Neb., on or about October 25, 1871.

PLEA-Guilty.

FINDING-Of the specification—Guilty, inserting the word "sufficient" before "effort."

Of the charge-Guilty."

SENTENCE..."To forficit to the United States ten dollars of his pay per mouth for four months; and to be confined at hard labor in charge of the guard for two months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

12th. Private William Peters, Company K, 9th Infantry,

CHARGE-Violation of the 46th Article of War.

PLEA-Not Gnilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States six dollars per month of his mouthly pay for six months; and to be confined at hard labor in charge of the guard for one month."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

13th. Private James H. Williamson, Company K, 14th Infantry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SETTENCE—"To be confined in charge of the guard at hard labor with a ball weighing twelve pounds attached to his leg by a chain five feet long, for the period of two years; to forfeit all pay and allowances due him up to expiration of sentence, except just dues of the laundress; and then to be indelibly marked with the letter D one and a half inches long on the left hip, and to be dishonorably discharged from the service."

The proceedings, findings, and sentence in this case are approved. The reason given by the prisoner for his desertion, namely, the initiary to his hand, which to some extent unfitted him for military duty, is a very inadequate excuse for his crime, yet it disposes the reviewing authority to a lenient consideration of this case. The sentence is mitigated to confinement in charge of the goard, with ball and chain, for six mouths, and forfeiture of ten dollars per mouth of his pay for the same period; and as modified will be duly executed.

14th. Private Charles Robinson, Company M, 2d Cavalry.

CHARGE 1-Drunkenness on duty.

CHARGE 2-Sleeping on post. PLEA-Not Guilty.

FINDING-Guilty.

SEXTEXCE—"To forfeit to the United States ten dollars per month of his monthly pay for six months; and to be confined at hard labor in charge of the post guard for the same period."

The Department Commander does not feel himself justified in approving the findings and sentence in this case; the only witnesses called by the prosecution, to wit: the screent and corporal who arrested the prisoner, testifying that they found no evidence in his manner to lead them to suppose him drunk, that they could detect no odor of spirits about him at the time, and that he is hubitually a steady soldier. Nor is it shown that he was asleep when taken off his post. Unquestionably he was found lying prostrate on his beat; but the evidence seems to negative, it certainly does not in any way confirm, the inference that he was intoxicated at the time.

The proceedings are approved, but the findings and sentence are

disapproved. Private Robinson will be restored to duty.

I... The General Court Martial convened at Fort Laramie, W. T.,
pursuant to Paragraph 2, Special Orders No. 141, current series
from these Headquarters, and of which Captain Augustus H. Bainbridge, 14th Infantry, is President, and Assistant Surgeon Robeit
M. O'Reilly, Medical Department, Judge Advocate, is hereby dis-

M. O Italiji, Medical Department, Judge Advocate, is hereby dissolved.
III...The General Court Martial convened at Fort McPherson.
Neb., pursuant to Paragraph 5, Special Orders No. 143, current series from these Hendquarters, and of which Major Engage A. Carr.

5th Cavalry, is President, and 2d Lieutenant Earl D. Thomas, 5th Cavalry, Judge Advocate, is hereby dissolved.

IV...The General Court Martial convened at Fort Bridger, W. T., pursuant to Paragraph 3, Special Orders No. 146, current series from these Headquarters, and of which Major Robert S. La Motte,

13th Infantry, is President, and Assistant Surgeon Joseph K. Carson, Medical Department, Judge Advocate, is hereby dissolved.

V...The General Court Martial convened at Camp Douglas, U. T., pursuant to Peragraph 2, Special Orders No. 156, current series from these Headquarters, and of which Colonel William II. Emory, 5th Cavalry, is President, and Major Heebert P. Curtis, Judge Advocate U. S. Army, Judge Advocate, is hereby dissolved.

VL..The General Court Martial convened at Fort Fetterman, W. T., pursuant to Paragraph I, Special Orders No. 167, current series from these Headquarters, and of which Lieutemant Colonel George A. Woodward, 14th Infantry, is President, and 1st Lieutemant Robert P, Worzen, 14th Infantry, Judge Advocate, is hereby dissolved.

VII...The General Court Martial convened at Fort D. A. Russell, W. T., pursuant to Paragraph 2. Special Orders No. 179, current series from these Headquarters, and of which Major E. W. Critteaden, 5th Cavalry, is President, and 1st Lieutenant George F. Price, 5th Cavalry, Judge Advocate, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,
Assistant Adjutant General.

OFFICIAL:

)

G. C. M.

OMAHA BARRACKS.

- 1. Private James Bruce, Company E, 9th Infantry.
 2. Private John Fisher, Company E, 9th Infantry.
- ▶ 3. Private Charles Underburg, Company A, 9th Infantry,
- 4. Private Mike McGrath, Company A, 4th Cavalry.
- 5. Private Patrick J. Sullivan, Company E, 9th Infantry.
- 6. Private Premigins Vogler, Company K, 9th Infantry.
 7. Private John Johnson, Company I, 9th Infantry.
- 8. Private Maurice Curran, Company K, 2d Cavalry.
- 9. Private John Batson, Company I, 22nd Infantry.
- 10. Recruit Daniel Brown, 2d Cavalry,
- 11. Private James Ellis, Company M, 2d Cavalry.
- 12. Private Albert Zimmerman, Company A. 9th Infantry.
- 13. Private Pat. Rockbud, Company E, 9th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, November 10, 1871.

GENERAL ORDERS, No. 68.

I...Before a General Court Martial which convened at Omaha Barmacks, Neb., pursuant to Paragraph I, Special Orders No. 184, current series from these Headquarters, and of which Lieutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and Assistant Surgeon John M. Dickson, Medical Department, Judge Advocate, were arraigned and tried:—

1st. Private James Bruce, Company E, 9th Infantry.

CHARGE-Violation of the 45th Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of six months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private John Fisher, Company E, 9th Infantry.
Charge—Violation of the 45th Article of War.



PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the guard for the period of six months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

3d. Private Charles Underburg, Company A, 9th Infantry.

CHARGE-Desertion.

PLE V-Guilty.

Finding-Guilty.

SEXTENCE—"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet long, for the period of two years; to forfeit all pay and allowances due him up to expiration of sentence, except the jost dues of the laundress; and then to be indelibly marked with a letter D one and a half inches long on the left-hip, and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Mike McGrath, Company A, 4th Cavalry, Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE—"To be confined in charge of the guard at hard labor, with a ball weighting twelve pounds attached to his leg by a chair five feet long, for the period of two years; to forfeit all pay and allow-ances due him up to expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with a letter D one and a half inches in length on the left hip, and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private Patrick J. Sullivan, Company E, 9th Infantry.

CHARGE 1-Violation of the 15th Article of War.
CHARGE 2-Violation of the 50th Article of War.

PLEA-Not Guilty.

FINDING-Guilty.

SENTENCE—"To be confined at hard labor in charge of the post guard for the period of six months, and to forfeit to the United States ten dollars per month of his monthly pay for the period of five months."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private Premigins Vogler, Company K, 9th Infantry. Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States with loss of all pay and allowances now due or to become due."

The proceedings, findings, and sentence in this case are approved, but the sentence is so modified as to permit the payment of ten dollars to prisoner when discharged; and as mitigated will be duly executed.

7th. Private John Johnson, Company I, 9th Infantry.

Charge 1—Desertion.

Charge 2-Violation of the 22d Article of War.

PLEA-Guilty.

FINDING-Guilty.

SENTANCE—"To be confined in charge of the guard at hard labor where the best properties of the guard at the labor in the feet long, for the period of two years; to forfeit all pay and allowances due him up to expiration of sentence, except just dues of the handress; to be indelibly marked with a letter D one and a half inches long on the left hip, and then to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved. The prisoner's excellent conduct while serving his second enlistment, as testified to by his officers, disposes the reviewing authority to a lenient consideration of the prisoner's offenses; and the sentence is mitigated to confinement in charge of the guard for six months, with ball and chain, and forfeitner of eight dollars per month for the same period. As modified, the sentence will be duly executed.

8th. Private Maurice Curran, Company K, 2d Cavalry.

CHARGE 1-Desertion.

CHARGE 2-Violation of the 38th Article of War.

PLEA-To the 1st charge and specification-Guilty.

To the 2d charge and specification-Not Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances that are due or may become due him; to be confined in such penitentiary as the General Commanding the Department may direct, for the period of one year; and then to be dishonorably discharged the service of the United States."

In this case the specification under the 2d charge, to be correctly drawn under the 3*th Article, should have alleged, not that the prisoner "did steal, lose, or destroy," but that he "did sell, lose, or spoil through neglect" certain arms and equipments.

In charges drawn under the articles of war the language of the article should be closely adhered to.

Again, "to steal, lose, or destroy" is not a penitentiary offence.— To steal is, to lose is not. The sentence is therefore in part illegal. (See remarks in case of Private Abbott, G. O. 48, c. s.)

The proceedings are approved. The findings under the 1st charge are approved. Those under the 2d charge are disapproved. The sentence is approved, except that portion which awards confinement in a penitentiary. The prisoner will be dishonomably discharged on receipt of this order.

9th. Private John Batson, Company I, 22d Infantry.

CHARGE-Descrition.

PLEA-Guilty.

FINDING-Guilty.

SETEXCE—"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet in length, for the period of three years; to forfeit all pay and allowances due him up to expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with the letter D on the left hip one and one-half inches long, and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved

and confirmed, and the sentence will be duly executed.

10th. Recruit Daniel Brown, 2d Cavalry.

CHARGE-Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTENCE-"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet loug, for the period of two years; to forfeit all pay and allowances due him up to expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with the letter D on the left hip, one and a half inches long, and to be dishonorably discharged the service."

The proceedings, findings, and sentence in this case are disapproved. The prisoner denies in his statement to the Court, notwithstanding his plea of guilty, that he had any intention to desert .-The Court should have directed the Judge Advocate to change the plea of the prisoner to "Not Guilty," and heard testimony on the facts. (See Digest, Tit. "Plea," Page 280, ¶. 3.)

The prisoner will be released from confinement,

11th. Private James Ellis, Company M, 2d Cavalry.

Charge-Descriton.

PLEA-Guilty.

Finding-Guilty.

SENTENCE-"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet in length, for the period of two years; to forfeit all pay and allowances due him up to the expiration of sentence, except the just dues of the laundress; and to be indelibly marked with the letter D one and a half inches long, on the left hip, and dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

12th, Private Albert Zimmerman, Company A, 9th Infantry. CHARGE-Conduct to the prejudice of good order and military

discipline. Specification 1-In this, that Private Albert Zimmerman, Company A, 9th Infantry, being a prisoner undergoing sentence and under charge of a sentinel, did escape from said sentinel and remain absent until apprehended and brought back.

Specification 2—In this, that Private Albert Zimmerman, being a prisoner undergoing sentence and under charge of Private Wesley Farley, Company K, 9th Infantry, a duly posted sentinel, did, without cause or provocation, strike and severely injure the said sentinel.

All this at Omaha Barracks, Neb., on or about September 21, 1871.

PLEA-To the 1st specification-Guilty.

To the 2d specification-Not Guilty.

To the charge-Guilty.

FINDING-Guilty.

SENTENCE-"To be confined at hard labor in charge of the guard for the period of six months."

The proceedings and findings in this case are approved. The sentence is disapproved, it being irreconcilable with the sentence now in force against the prisoner, and which is published in General Orders No. 48, current series from these Headquarters.

13th. Private Pat. Rockbud, Company E, 9th Infantry.

CHARGE—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SEXTEXCE—"To be confined in charge of the guard at hard labor, with a ball weighing twelve pounds attached to his leg by a chain five feet long, for the period of two years; to furfeit all pay and allowances due him up to expiration of sentence, except the just dues of the laundress; and then to be indelibly marked with the letter D one and a half inches long on the left hip, and dishonorably discharged the service."

The proceedings, findings, and sentence in this case are approved; but the sentence is mitigated to dishonorable discharge with loss of all pay and allowances, and as modified will be duly executed.

II. The General Court Martial convened at Omaha Barracks, Neb., pursuant to Paragraph 1, Special Orders No. 184, current series from these Headquarters, and of which Licutenant Colonel Albert G. Brackett, 2d Cavalry, is President, and Assistant Surgeon John M. Dickson, Medical Department, Judge Advocate, is hereby dissolved.

By Command of Brigadier General Augur: geo. d. ruggles,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, November 13, 1871

No. 69,

The undersigned hereby relinquishes the command of the Deparament of the Platte, which by General Orders No. 66, eurrent series, from the War Department, is temporarily merged in the Department of the Missouri. All official communications, reports and returns required by existing orders and regulations, will henceforth be sent to the Headquarters Department of the Missouri, at Fort Leavenworth.

The undersigned cannot relinquish a command which he has exercised so agreeably to himself for the past five years, without expressing his thorough uppreciation of the conduct and efficiency of his staff, and of the troops within his department during that time, In winter or summer, they have ever been ready and eager for whatever duty was required of them, and on all occasions have performed it thoroughly and satisfactorily. He leaves them with regret, and will always hold them in affectionate remembrance

C. C. AUGUR,

Brigadier General

Commanding,

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, November 21, 1871.

No. 70.

L..As announced in General Orders No. 70, enrrent series, from the War Department, the Department of the Platte has been recestablished by the President, and will be commanded by Brigadier General Ord, U. S. Army.

H...By direction of the Lieutenant General, the undersigned will exercise the command of the Department of the Platte until the arrival of its permanent Commander, Brigadier General Orp.

C. C. AUGUR, Brigadier General

OFFICIAL:

Commanding.







G. C. M.

CAMP DOUGLAS.

- 1. Private Andrew Hare, Company E, 13th Infantry.
- 2. Private Joseph Klapka, Company A, 7th Infantry.
- 3. Private Timothy Flynn, Company F, 13th Infantry.
- 4. Private James Allen, Company A. 5th Cavalry.
- Private Frank Schultz, Company A, 7th Infantry.
 FORT D. A. RUSSELL.
- 1. Private Mark King, Company M, 5th Cavalry.
- 2. Private Louis Reisser, Company D, 5th Cavalry.
- 3. Private William Kirk, Company II, 14th Infantry.
- Private Patrick Coll, Company D, 5th Cavalry.
 Private John Hasse, Company K, 5th Cavalry.
- Frivate John Masse, Company K, 5th Cavalry.
 Private Calvin Rowe, Company B, 5th Cavalry.
- 7. Private Jesse McClane, Company I, 9th Infantry.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

Omaha, Nebraska, November 22, 1871.

GENERAL ORDERS, No. 71.

1. Before a General Court Martial which convened at Caup Douglas, U. T., pursuant to paragraph 2, Special Orders No. 189, enrrent series from these Hendquarters, and of which Captain Nathon W. Osboyne, 13th Infantry, is President, and 2d Lleutenaut William A. Dinveidliv, 2d Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Andrew Hare, Company E, 13th Infantry.

Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—" To forfeit to the United States ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings and findings in this case are approved, and the sentence, though inadequate to the offense, will be duly executed. 2d. Private Joseph Klapka, Company A, 7th Infantry. Charge—Desertion.

PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for six months; and to be confined at hard labor in charge of the guard for the same period."

The proceedings and findings in this case are approved, and the sentence, though too lenient, will be duly executed.

3d. Private Timothy Flynn, Company F, 13th Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1—In this that he, Private Timothy Flynn, Company F, 13th Infantry, when ordered by 1st Sergeant Charles Hammer, Company F, 13th Infantry, to draw a blouse, did answer in a disrespectful manner: "I will be d——d if I do, and you nor General De Trobriand cannot make me." This at camp near Camp Douglas, U. T., on the 11th day of October, 1871.

Specification 2—In this that he, Private Thundhy Flynn, Company F. 13th Infantry, when ordered to the guard house by 1st Sergeant Hamner of same company, did reply: "D——n it, you can take me to the guard house if you want to." This at earn near Camp Douglas, U. T., on the 11th day of October, 1871.

Specification 3—In this that he, Private Timothy Flynn, company F, 13th Infantry, while on the way to the guard house; being in front of officers quarters and acting bolsterously; when ordered by Lieutenant W. M. Waterbury, 13th Infantry, to keep still, did make a contemptuous, profane and obscene reply. This at camp near Camp Douglas, U. T., on the 11th day of October, 1871.

PLEA- To the 1st specification-Not Guilty.

To the 2d specification-Guilty.

To the 3d specification-Guilty.

To the charge-Guilty

FINDING-Of the 1st specification-Not Guilty.

Of the 2d specification—Guilty.

Of the 3d specification-Guilty.

Of the charge-Guilty.

SENTENCE-". To forfeit to the United States five dollars of his monthly pay for two months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private James Allen, Company A, 5th Cavalry.

CHARGE-Desertion. PLEA-Guilty.

FINDING-Gnilty.

SENTENCE-"To forfeit to the United States ten dollars of his monthly pay for six months; and to be confined at hard labor in charge of the guard, for the same period."

The proceedings, findings, and sentence in this case are anproved. In view of the voluntary surrender of the prisoner, the sentence of confinement is remitted. The remaining portion of the sentence will be duly executed. The prisoner will be restored to duty.

5th. Private Frank Schultz, Company A, 7th Infantry.

· CHARGE-Desertion. PLEA-Guilty.

FINDING-Guilty.

SENTENCE-" To forfcit to the United States ten dollars of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

The proceedings and findings in this case are approved, and the sentence, though too lenient, will be duly executed.

II .. Before a General Court Martial which convened at Fort D. A. Russell, W. T., pursuant to Paragraph 2, Special Orders No. 179, current series from these Headquarters, and of which Major Eugene W. Crittenden 5th Cavalry, is President, and 1st Lieutenaut George F. Frice, 5th Cavalry, Judge Advocate, were arraigned and tried:

1st. Private Mark King, Company M, 5th Cavalry.

CHARGE-Desertion.

PLEA-Gnilty.

FINDING-Guilty.

SENTENCE—" To forfeit to the United States all pay and allowances now due or to become due; to be indelibly marked on the left hip with the letter D one and one-half inches in length; and then to be dishonorably discharged from the service and bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

2d. Private Louis Beisser, Company D. 5th Cavalry,

CHARGE-Desertion.
PLEA-Guilty.

FINDING-Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due; to be indelibly marked on the left hip with the letter D one and one-half inches in length; and then to be dishonorably discharged from the service and bugled ont of the garrison."

The proceedings, findings, and sentence in this case are approved; but in view of the prisoner's voluntary surrender the sentence is mitigated to forfeiture of ten dollars per month for five months; and as modified will be duly executed. The prisoner will be released from confinement.

3d. Private William Kirk, Company II, 14th Infantry.

CHARGE-Descriton.

PLEA-Guilty.

FINDING-Gnilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due; to be indelibly marked on the left hip with the letter D one and a half inches in length; and then to be dishonorably discharged from the service and bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

4th. Private Patrick Coll, Company D, 5th Cavalry.

CHARGE-Desertion.
PLEA-Not Guilty.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due; to be indelibly marked on the left hip with the letter D one and one-half inches in length; and then to be dishonorably discharged the service of the United States and bugled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

5th. Private John Hasse Company K 5th Cavalry,

CHARGE—Desertion.
PLEA—Gnilty.

PLEA—Guilty. FINDING—Guilty.

SENTEXCE—"To forfeit to the United States all pay and allow the state of the become due; to be indelibly marked on the left hip with the letter D, one and one-half inches in length; and then to be dishonorably discharged the service of the United States and buyled out of the garrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

6th. Private Calvin Rowe, Company B, 5th Cavalry.

CHARGE-Desertion.

PLEA-Guilty. FINDING-Gnitty.

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due; to be indelibly marked on the left hip with the letter D, one and one-half inches in length, and then to be dishonorably discharged the service of the United States and burded out of the surrison."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of six months, wearing a ten-pound ball attached to his left

⁷th. Private Jesse McClane, Company I, 9th Infantry.

CHARGE-Violation of the 6th Article of War.

PLEA-Not Guilty.

FINDING—Guilty.

leg by a chain three feet long; to forfeit to the United States ten dollars of his monthly pay per month for the same period; and then to be dishonorably discharged the service of the United States."

The proceedings, findings, and sentence in this case are approved and confirmed, and the sentence will be duly executed.

The court which tried the foregoing cases at Fort D. A. Russell, though dissolved by General Orders No. 67, current series from these Headquarters, of date November 6th, and therefore apparently sitting without authority, was in fact undissolved at the time of the trial of these cases; the order referred to not having been published until November 25, 1871.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL.

Hittlifield Aide-decamp.

HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, December 1, 1871.

No. 72.

In accordance with authority from the Secretary of War, as contained in letter of June 29, 1871, from the Adjutant General's Office, the military reservation of Fort Bridger has been re-located and is now announced as contained within the following boundary lines, viz:—

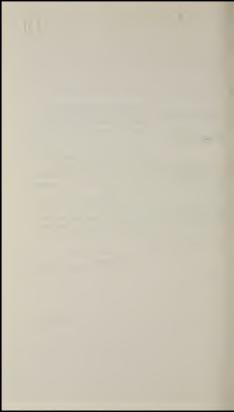
Starting from a point one (1) mile west of flag-staff at Fort Bridger running north two (2) miles; thence east two (2) miles and forty (40) chains; thence six (6) miles and thirty-two (32) chains south; thence west two (2) miles and forty (40) chains; thence north four (4) miles and thirty-two (32) chains to point of beginning; in all sixteen (16) square miles.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

GEO. D. RUGGLES,

Assistant Adjutant General,

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, December 2, 1871.

No. 73.

The undersigned hereby relinquishes the temporary command of the Department of the Platte, which he has exercised pursuant to General Orders No. 9, Paragraph 3, from Headquarters Military Division of the Missouri.

C. C. AUGUR.

Brigadier General.

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, December 11, 1871.

No. 74.

In obedience to Paragraph II, General Orders No. 70, current seies, from the War Department, the undersigned hereby assumes command of the Department of the Platte.

E. O. C. ORD,

Brigadier General,

Commanding,

FFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, December 21, 1871.

No. 75.

L...First Lientemant Hugh G. Brown, 12th Infantry, A. D. C. to the Commanding General, is announced as such, to date from December 11, 1871, the date upon which Brigadier General Ord assumed command of the Department.

11...Herenfter, when troops are moved by rail within the limits of this command, no transportation for baggage will be furnished beyond that specifically allowed by the Army Regulations, except in cases of emergency when specially authorized from these Headquarters.

The Railroad Company transports one hundred pounds per passenger. In cases where this may not cover the baggage of the entire command, all in excess, if within the regulation allowance, will be transported by the Quartermaster's Department as freight.

All bills for transportation of baggage over and above the regulation allowance, when presented to the Government, will be charged against the officer in command of the troops.

HL...As the Ordnance Depot at Cheyenne will be discontinued after the L5th proximo, officers detailed to inspect ordnance property will specify the Ordnance Depot at Omaha, in cases where they may recommend unserviceable stores to be turned into Depot. Such stores only as may be clearly of a repairable nature, and may be fit for issue, after such repairs, will be ordered to the Depot. All worn-out leather-work of accontrements, curry-combs, horse-brushes, blankets, etc., may be recommended to be dropped, as such property is not worth transportation.

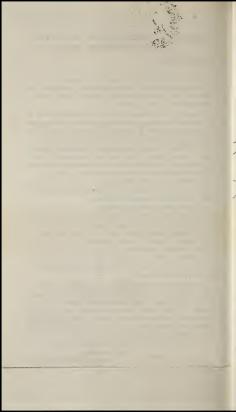
IV...Hereafter, on each post return forwarded to these Headquarters, a separate column, to be headed "when read to the troops," will be ruled under "official communications received during the month." In this column will be noted the date upon which each general order received from General, Division, or Department Headquarters, and each special order received from Department Headquarters shall have been read to the troops of the post.

By Command of Brigadier General Ord:

GEO. h. RUGGLES,

Assistant Adintant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, Devember 28, 1871.

No. 76.

1...To enable him to comply with the requirements of Paragraph 7, Special Orders No. 472, current series, from the War Department, Major Benjamin Aleord, Paymaster, U. S. Army, Chief Paymaster of the Department, is relieved from duty in this Command.

11...Major J. E. Burbank, Paymaster, U. S. Army, will perform temporarily, and until otherwise ordered, the duties of Chief Paymaster of this Department.

BY COMMAND OF BRIGADIER GENERAL ORD:

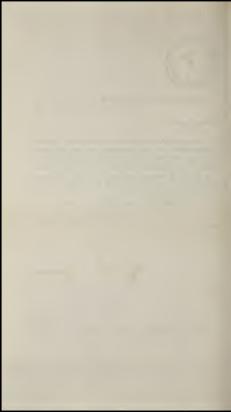
GEO. D. RUGGLES,

Assistant Adintant General,

OFFICIAL:

Aide-de-Camp.

Note. - This is the last of the series of 1871.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, January 8, 1872.

No. 1.

Captain H. G. Litchfield, 2d Artillery, having been assigned by the War Department to duty as Aide-de-Camp to the Commanding General, to date from January 3, 1872, is hereby announced accordingly.

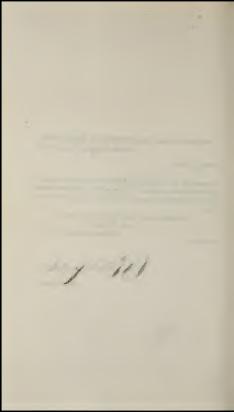
BY COMMAND OF BRIGADIER GENERAL ORD:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:

Million water





HEADQUARTERS NEPARTMENT OF THE PLATTE, Omaha, Nebraska, January 10, 1872.

No. 2.

Major C. M. Terrell, Paymaster U. S. Army, having reported at these Headquarters in obedience to Paragraph 9, Special Orders No. 440, of 1871, from the War Department, is placed on duty in this city, and is hereby announced as Chief Paymaster of the Department, to which duty he has been assigned, temporarily, by Paragraph 1, Special Orders No. 7, current series, from the War Department.

BY COMMAND OF BRIGADIER GENERAL ORD:

Assistant Adintant General.

()FFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 20, 1872.

No. 3.

I...In consequence of the long delays occasioned in the settlement of claims of heirs of deceased soldiers, by neglect or laxity of officers of the Army in forwarding proper returns and reports in cases of deaths of enlisted men, the attention of officers serving in this Department is called, at the request of the Adjutant General of the Army, to Article XVII, of the Revised Army Regulations, and a strict and speedy compliance with the requirements thereof is enjoined upon them.

II...Post Signal Officers, at posts in this Department where Cavalry may be serving, will be selected, whenever practicable, from that arm of the service, with a view to its proficiency in signalling when serving in the field.

BY COMMAND OF BRIGADIER GENERAL ORD:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 25, 1872.

GENERAL ORDERS, No. 4.

I...Hereafter, on the last business day of every quarter, each Post commissary will make a thorough inspection of all subsistence supplies on hand, and submit a written report thereof to the Commanding officer for his information and action. The report will be made in the form of a letter, and will exhibit:—

- 1. The general condition of the supplies.
- The articles and quantities that are unfit for issue, and, in the opinion of the Commissary, require the action of an inspector.
- The articles and quantities that are deteriorating in quality, and the measures taken for their preservation.
- Whether, during the quarter, the stores longest on hand linve been issued first, as required by Paragraph 1194, Revised U. S. Army Regulations, 1863.
- 5. What security there is against fire and loss by theft.
- 6. Whether the store-houses are properly guarded by sentinels.

Commanding officers will carefully examine these reports, and transmit them, without unnecessary delay, to the Chief C. S. of the Department, endorsing thereon a statement of their action, and their views and recommendations as to further action by higher authority.

II...To prevent an unuecessary accumulation of some equivalent raticles of the same part of the ration to become stale and unfit for issue, and a corresponding deficiency of others to deprive the complete ration of the variety contemplated by law and regulations: commanding officers will keep themselves advised, through their commissaries, of the number of rations of each article on hand, and, from time to time, as the state of the supplies may require, announce in orders what proportions of the different equivalent articles, as pork and bacon; flour, hard bread and corn-meal; beans, peas, rice, and hominy; green coffee, roasted coffee and tea, &c., shall be drawn for and issued.

HI...Attention is invited to Paragraph I, General Orders No. 18, War Department, A. G. O., 1863, which authorizes the purchase by the Subsistence Department of articles asced from the ration, only "nehra it (the Subsistence Department,) repaires them for resistance." i.e., when such articles and quantities are necessary to enable the Commissary to meet the requirements of the garrieon during a reasonable period of time, depending upon the circumstances of the post, as to climate, storage, facility of communication with it, &c. When by the purchase of any particular article there would result an undue accumulation thereof, and consequent flability of loss to the United States by its deterioration from age, or other causes, the Commissary will decline to purchase any of that article.

IV. Butter, cheese, lard, hams, fresh vegetables, canned fruits and vegetables, pickles, and other readily perishable nricles should be transported only in the spring or antimus, when the temperature is moderate. The times for making the stated requisitions have been fixed accordingly, by Paragraph IV, General Orders No. 49, 1808, from these Headquarters.

Pickled ments and fish, pickles, and butter will be frequently examined and the brine tested. The brine will be replenished, through the Imig hole, with salt if fuund too weak, or replaced if leakage has occurred. Post commanders may authorize the employment of a cooper, when one can be hired in the vicinity of the post, in cause where his services may be necessary to tighten leaking barrels.

In summer, all articles liable to damage by excessive heat, and, in winter, those liable to injury by freezing, will be kept in cellars. On the 1st of May, Cummissaries will re-arrange their stores for preservation during the enaming summer, and on the 1st of October, for the ensuing winter.

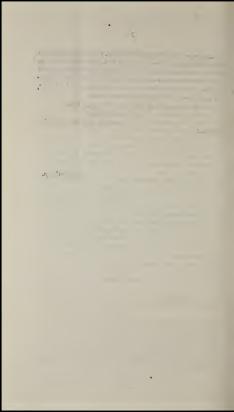
Especial attention is invited to "Miscellaneous Items," 1, 2, 3, 4 and 5, page 301, Revised U. S. Army Regulations, 1863, and a strict compliance therewith enjoined.

V...Boards of survey cannot properly recommend that a Commisresulting from 'mag,' "hong stronge," &c., unless it be shown by satisfactory evidence that the orders and regulations relating to the care and preservation of stores, purchase of savings for re-issue, and issuing stores longest on hand first, have been compiled with. VI...Paragraph I, of General Orders No. 63, series of 1869, from these Headquarters, is bereby modified so far as to allow fires to be kept in Subsistence store-houses, provided that hearths be placed under the stores, the flues made safe, and a reliable elerk, or other employee, be required to sleep in the room where the fire is kept, with ample means for extinguishing fire at hand.

> By Command of Brigadier General Ord: GEO. D. RUGGLES,

> > Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, March 27, 1872.

No. 5.

1...Commanding officers are, and will be held, responsible for the proper care of all public property at their posts. When losses therein or damage thereto may occur, other than such as may be legitimately accounted for as unavoidable, it will be recommended that a proper share of the money values thereof be charged against them. Commanding officers, by personal superintendence, will see that officers in the Quartermaster's and Subsistence Departments, and those in charge of arms perform their duties, and will promptly relieve and prefer charges against such as fail to do so.

H...All Quartermaster's supplies received at posts by contract or purchase in open market will be subject to inspection on arrival by a Board of Officers, to be appointed by the Post Commander, and if not found fully in accordance with the contract or conditions of purchase will be rejected. All Quartermaster's contracts will contain a provision to this effect.

III...Post Commanders will make a thorough inspection between the 1st and 5th days of each month of the animals, material, and supplies of every kind which may be at their respective posts, in the Quartermaster's, Subsistence and Ordinance Departments, and in the hands of company commanders, and will forward reports of their inspections in letter form to the Assistant Adjutant General at these Headquarters, covering information as follows, vix:—

1. Of the Quartermaster's Department. Of store-houses, tents, &c., in which stores and property may be placed; and in case of unitness, the reasons therefor; whether these store-houses, tents, &c., are protected from fire and thieves; of animals, whether in good condition and well cared for; of forage, whether according to contract, protected from theft, fire, or damage; short forage, well housed; long forage, well stacked; and both under proper guard; of Quartermaster's stores, whether under shelter; wagons, in good condition; harness and wooden parts of wagons, under cover and in good order; coal, under cover and according to contract; wood, carefully piled and protected; tools and machinery, properly cared for; clothing, camp and garrison equipage, properly packed and stored.

2. Of the Subsistence Department. Of store-houses, tents, etc., in which stores and property may be placed; the verification of the supplies on hand, when practicable; the quality of the stores and their condition for army uses; whether the stores longest on hand have been issued first; whether sales have been made for the benefit of the enlisted men, (through their commanding officers,) under paragraph 1229, Army Regulations of 1863; whether there are any had or damaged stores onhand, specifying the articles and quantities; if any, and the cause thereof; the condition of the Commissary store-houses in respect to dryness and general fitness for the purpose; what security these store-houses possess from fire and from loss by theffy whether the forage and other subsistence supplies are kept under sentinels; and any other information which the post commander may deem it expedient to give in regard to these and kindred subjects.

 Of the Orduance Department. Of all relating to orduance and orduance stores, the supply on hand, and the care and shelter afforded them.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjulant General.

Official;

HEADQUARTERS DEPARTMENT OF THE PLATTE,

· GENERAL ORDERS,

The following reports, &c., will be furnished to the Chief Quartermaster of the Department, by all officers serving in the Quartermaster's Department in this command, viz:—

WEEKLY.

Statement of public funds for the week; forwarded through Chief Qurtermaster to Quartermaster General.

MONTHLY.

A copy of the "Report of persons and articles hired, Form 1," with a statement of the date and source of the authority for such employment, under the head of remarks.

A copy of the "Roll of enlisted meu employed on extra duty in

the Quartermaster's Department-Form 3."

A personal report, with memoranda approximately showing how long the fuel and forage on hand will last.

A report of shipments over the Union Pacific Railroad.

An abstract of "transportation orders, received, issued, cancelled, &e.," accompanied by the cancelled orders.

A copy of the "Account Current-Form 7."

"Estimate of Funds-Form 24," to be forwarded ten days preceding the month for which the funds are required.

A report of unfilled contracts.

An abstract, in duplicate, of expense incurred in transporting Indian goods—one copy through office of Chief Quartermaster, addressed to the Quartermaster General, and one copy for file in Chief Quartermaster's office.

QUARTERLY.

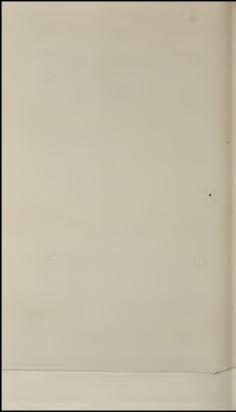
A "report of horses, mules and oxen, received, transferred, &c."

A copy of the "Quarterly return of Quartermaster stores, received and issued—Form 27."

A statement and estimate of Clothing, Camp and Garrison Equipage.

BY COMMAND OF BRIGADIER GENERAL ORD: GEO. D. RUGGLES,

Assistant Adjutan! General.





No. 7.

I...The following rules are established for the observance of all concerned, when escorts are furnished to Staff officers traveling on duty within this Department, viz:—

- The staff officer shall have entire control of the ambulance or other means of transportation furnished him.
 - 2. The escort shall start at the time appointed by the staff officer.
- 3. The length of each day's journey shall be determined by the staff officer, due regard being had for animals and men. Should the Commanding officer of the escort fear exposure or injury to his animals or men by the marches proposed, or camps necessitated thereby, he will advise the staff officer against them, stating his reasons therefor; should the latter then take action opposed to such advice, the responsibility for any injuries or damage that may occur shall rest upon him.
- 3. Camps should be made before sun set. The Commanding offeer of the escort shall establish the special location and arrangement of his own camp at the end of each day's journey. The staff officer shall place his own tent, employees and animals, and in such relation to the camp of the escort as to be fully protected by it.
- The Commanding officer of the escort shall have exclusive control of the troops, animals, forage and rations pertaining to it.
 Should an attack occur, he will dispose of, command and fight his agan men.
- 6. Should the Commanding officer of the escort consider that his animals or men injured or subjected to needless suffering, by reason of unnecessarily long or exposed marches or bad camps imposed by the staff officer, the forance, on his return to his post, will report the staff officer, the forance, on his return to his post, will report the Officers, to examine into the facts of the case. The staff officer shall be heard in person or by letter before the Board. Injuries to the troops, when found attributable to the action of the staff officer, will be reported by the Board upon the staff officer.

The proceedings of the Board will be forwarded, by the Command ing officer of the post, to these Headquarters.

7. Hereafter, when they can be obtained at the place of starting, spring wagons will be furnished for infantry escorts to Paymasters, who travel by such kind of conveyance. The Commanding officer of such infantry escorts will be mounted. Escorts will be placed with reference to the conveyances of staff officers, as the latter may request, except in moments of danger. As a rule, the slowest team will lead the train.

II...In case of fire at any post or camp in this Department, the Commanding officer will at once convene a Board of Officers, to inquire into and report upon all circumstances attending it. The proceedings of the Board will be forwarded to these Headquarters.

III...Attention is called to circular of June 7, 1871, from the War Department, promulgated in General Orders No. 58, of 1871, from these Headquarters, and circular of March 25, 1872, from the War Department, which deny to Post Traders the privileges of the pay table. As the Trader has no right to collect at the pay table, no officer can act as his agent there for that purpose. Accordingly, so much of Paragraph 1, of General Orders No. 55, of 1871, from these Headquarters, as prescribes forms of checks, payable to the Post Trader, to he used by soldiers and approved hy company commanders, is brethy rescribed.

The Post Trader is now placed towards the soldier in the same position as other persons that may trust him; and it is to be understood by all concerned, that it is not within the power of any officer to enforce, by military authority, the collection of debts due by enlisted men.

> BY COMMAND OF BRIGADIER GENERAL ORD: GEO. D. RUGGLES,

Assistant Adjutant General.

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HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, April 4, 1872.

No. 8.

Captain Henry G. Litchfield, 2d Artillery, A. D. C., is announced as Acting Judge Advocate of the Department, to date from January 3, 1872.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, April 21, 1872.

No. 9.

I...Target practice, in accordance with the system adopted by the War Department, May 30th, 1862, will hereafter be required on Monday of each week, at the several posts in this Department, except when impracticable on account of inclement weather, when it will take place on the first fair day, Sunday excepted, therafter.—All men of the companies present, excepting the sick, guard, bakers and one company cook, will attend this practice. Under authority from the Secretary of War, as contained in letter from the Adjutant General's Office, dated April 17, 1872, three ball cartridges per man per week are authorized for this practice.

Reports of the firing will be rendered weekly to the Post commander by Company commanders, and a consolidated mouthly report will be sent to these Headquarters by the Post commander, on the last day of each month. These commany and consolidated reports will show, by name, the best shot, number of shots fired, number of hits, average distance of hits from centre of target, with the name of each absentee and cause of his absence. At the foot of each consolidated monthly report, the Post commander will add such remarks in regard to the arms and ammunition as may have been rendered necessary or proper by the practice.

II...Commanding officers of posts in Indian country, in this Department, are authorized to issue cartridges, for the use of their garrisons, from time to time as needed.

By Command of Brigadier General Ord:

Geo. d. ruggles,

Assistant Adjutant General.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, April 22, 1872.

No. 10.

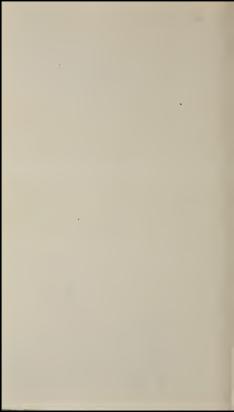
First Lieutenant *Placidus Ord*, 19th Infautry, Aide-de-Camp to the Commanding General, having reported at these Headquarters, is hereby announced accordingly.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, May 7, 1872.

No. 11.

Under date of April 2, 1872, the President has confirmed and declared an extension of the military reservation of Fort Laramie, with boundaries hereinafter described, and the same is announced for the information of all concerned, viz:—

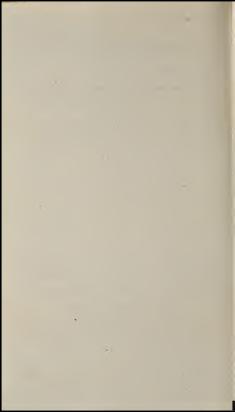
Commencing at a point on the prolongation of the eastern boundary of the reservation as described in General Orders No. 34, of 1869, from these Headquarters:-six (6) miles from where it crosses the south bank of the North Platte river; thence running east thirty-five (35) degrees south eight (8) miles and two thousand two hundred and sixty (2260) feet to pile of stones on a peak in a high ridge: thence east fifty-one (51) degrees five (5) minutes and fortyfive (45) seconds south three (3) miles and twenty-eight hundred and sixty (2860) feet to peak of a sharp conical butte: thence east thirty-five (35) degrees south twelve (12) miles and five thousand and ninety (5090) feet to Horse Creek; thence east seventeen (17) degrees and fifteen (15) minutes south two (2) miles and eleven hundred and forty (1140) feet to north point of Horse Creek butte; thence east no (0) degrees and forty-five (45) minutes north eleven (11) miles and four thousand one hundred and seventy (4170) feet to angle on Scott's Bluffs: thence easterly along the crest of Scott's Bluffs to North Platte river; thence across to north bank of said river: thence westerly along north bank of said river to intersection with eastern boundary of present reservation; thence due south to place of beginning.

General Orders No. 45, of 1871, from these Headquarters, is amended accordingly.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, May 16, 1872.

No. 12.

I...The Department of the Platte is hereby divided into Districts

to be constituted as follows, viz:-

 District of the East Platte—To comprise all that part of the Department included between the Mississippi River on the east and Longitude 99 on the west. Headquarters Omaha Barracks, Neb. Colonel I. N. Palmer, 2d Cavalry, is assigned to the command.

 District of the Republican—To comprise all that part of the Department lying between Longitude 99 and 102. Headquarters Fort McPherson, Neb. Colonel J. J. Reynolds, 3d Cavalry, is as-

signed to the command.

3. District of the South Platte—To comprise all that part of the Department lying south of Lattide 4! 42,7, and between Longitude 102 and 1064, inclusive of such parts of two U. P. Railroad between these longitudes, as may lie north of Lattide 4! 42.7. Headquarters Fort D. A. Russell, W. T. Colonel John H. King, 9th Infantry, is assigned to the command.

4. District of the Black Hills—To comprise all that part of the Department lying north of Latitude 41° 45°, and between Longitude 102 and 106½, exclusive of such parts of the U. P. Railroad, as may lie between these longitudes. Headquarters Fort Laramie, W. T. Colonel John E. Smith, 14th Infantry, is assigned to

the command.

 District of the Green River—To comprise all that part of the Department lying between Longitude 1093 and its western boundaries, except Utah Territory. Headquarters Fort Fred. Steele, W. T. Colonel P. R. de Trobritand, 13th Infantry, is assigned to the command.

 District of Utah—To comprise all of Utah Territory. Headquarters Camp Douglas, U. T. Lieutenaut Colonel H. A. Morrow.

13th Infantry, is assigned to the command.

II...Each District Commander will retain command of his post, and may detail his Regimental or Post Adjutant for duty as Acting Assistant Adjutant General at District Headquarters. No other Dis-

trict Staff will be allowed without special authority.

The object in establishing Districts is to facilitate the movement and concentration of troops in case of Indian hostilities, and not to increase official correspondence. No returns of troops, by Districts, will be required from District Commanders. Stated reports, returns etc., will be sent as heretofore by Post Commanders direct to Department Headquarters. Such returns, reports, etc., as may be necessary to keep the District Commander informed of the fighting strength of his command may be required by him. Troops in pursuit of hostile Indians will not confine themselves

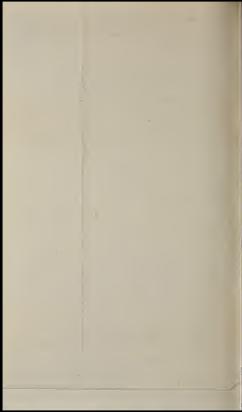
to District limits, but will pass such boundaries whenever required

to ensure success.

BY COMMAND OF BRIGADIER GENERAL ORD:

GEO. D. RUGGLES,

Assistant Adjutant General.





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, May 17, 1872.

GENERAL ORDERS,) No. 13.

I... The inspections and reports required by Paragraph 3. General Orders No. 5, current series, from these Headquarters, will hereafter he made within the five days succeeding each muster-day, instead of monthly.

II ... Telegrams to these Headquarters from members of this command, except by the Atlantic and Pacific Telegraph Company which is subsidized, will in all cases he sent pre-paid.

III ... The following opinion of the Secretary of War, touching medical treatment of civilians in Post Hospitals, is published for general information, and will govern in this Department, in all cases to which it applies, viz :-

"The admission of civilians to Post Hospitals for medical treatment is so exceedingly objectionable, that it should not be tolerated, except in cases of the direst necessity, and then only upon the written statement of the Senior Medical Officer, that such admission is absolutely necessary for the preservation of life. A reasonable charge should he made for the board of such inmate, and all moneys received from such sources, whether for food, medicines or medical attendance should he added to the Hospital fund, and accounted for as such."

> BY COMMAND OF BRIGADIER GENERAL ORD: GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL.





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, June 3, 1872.

No. 14.

Paragraph IV, General Orders No. 63, of 1869, from these Headquarters, is so modified as to give to Post Commanders discretion, between the 1st day of June and the 15th day of September, to dispense with epaulettes and scales, to anthorize straw hats and blouses to be worn on and off duty, and to permit officers, when not on parade under arms, to wear white pantaloons.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.

OFFICIAL:







HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, June 13, 1872.

No. 15.

Major Simon Smith, Paymaster U. S. Army, having reported to the Commanding General in obedience to Paragraph 4, Special Orders No. 106, current series, from the War Department, is announced as Chief Paymaster of this Department.

By Command of Brigadier General Ord:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, June 17, 1872.

No. 16.

I...Post commanders will note on Reports of Target Practice, the size of target and its distance from firing point.

II...The following extract from an endorsement of the Adjutant General of the Army, dated May 18, 1872, is published for the information and guidance of all concerned, viz:—

"The Secretary of War has decided against the payment of extra duty pay to soldiers employed as clerks to Post Quartermasters, Post Commissaries of Subsistence, Regimental clerks, company clerks, and clerks at Post Headquarters."

By Command of Brigadier General Ord:

GEO, D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 9, 1872.

No. 17.

I... First Lieutenant Cullen Bryant, Ordnance Department, having reported to the Commanding General, in obedience to instructions from the Chief of Ordnance, will relieve Captain John R. McGinness, Ordnance Department, in the duties of Chief Ordnance Officer of this Department, and in command of the Ordnance Depot, Omaha.

II... Captain John R. McGinness, Ordnance Department, will be relieved from duty in this Department on the 16th instant, and will then proceed to comply with the provisions of Paragraph 14, Special Orders No. 144, current series, from the War Department.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, July 11, 1872.

No. 18.

I... Colonel J. V. Bomford, 8th Infantry, is assigned temporarily to the duty of Acting Assistant Inspector General of this Department, and is hereby announced accordingly. He will continue to exercise the command of his regiment.

II... Until the arrival of the six companies of the 8th Infantry, now in the Department of Dakota, the Headquarters of the regiment will be established in this city. Quarters for the commissioned and non-commissioned staff and band of the regiment will be provided at Omaha Barracks.

By Command of Brigadier General Ord:

GEO. D. BUGGLES,
Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS DEPARTMENT OF THE PLATTE,
Omaha, Nebraska, July 24, 1872.

No. 19.

I...Reports of scouts and expeditions will contain all reliable information obtainable concerning the resources of new and unsettled districts passed over by the troops. Such reports will be furnished, complete or in part, to the local press near Headquarters, for publication, and officers making them will receive credit accordingly.

II...Before sending troops to pursue Indians charged with stealing or killing stock, Post commanders will satisfy themselves there is good reason to believe the offence has been committed, and that proper care has been taken to watch the stock, or, at frequent intervals, to identify it, as present. Complaints will not be considered reliable when made by owvers, whose stock run at large over great distances, without horders or proper care. Commanders will have this order circulated, so that stock owners in the vicinity of their respective posts may know its import.

III. Leaves of absence, to members of this command, will take effect from the dates upon which officers holding them pass beyond the limits of the Department, and will terminate upon the dates of their return within its boundaries.

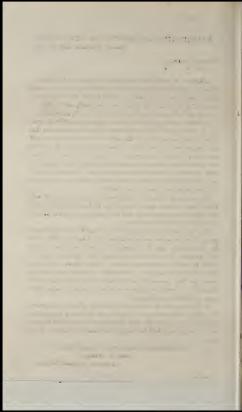
IV...The quarterly reports of Post commanders, in this Department, of ordnance and ordnance stores, not in hands of troops, will be discontinued, and the information formerly contained in them will hereafter be embodied in the bi-monthly inspection reports of posts by their Commanding officers. These officers will state in their reports the amount of serviceable ordnance and ordnance stores in their possession, not in hands of troops, which, in their judgment, it would be advisable to issue, to transfer to some other post, or otherwise to dispose of.

V...The attention of officers, and especially of officers commanding posts, in this command, is called to the fact that a large portion of their mail matter for these Headquarters is not fully pre-paid, and is accordingly held for postage, and delayed in delivery in this city.

> BY COMMAND OF BRIGADIER GENERAL ORD: GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, Angust 5, 1872.

No. 20.

I...Discretion is hereby given to Post Commanders to remove balls and chains from prisoners wearing them under sentences of General Courts Martial, whenever sickness or good conduct may require or warrant such action.

H...The following endorsement of the Adjutant General of the Army, dated July 29, 1872, has been communicated from Division Headquarters and is promulgated for the information of all concerned, viz:—

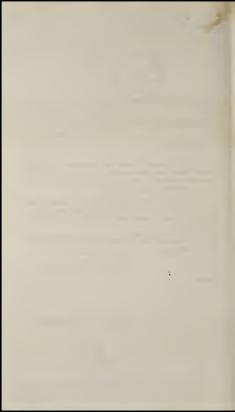
"Applications for the transfer of enlisted men from one arm of the service to another cannot be favorably considered."

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.

OFFICIAL:





No. 21.

I...By direction of the Secretary of War, Paragraph III, General Orders No. 19, current series, from these Headquarters, is revoked.

II...In future, applications to these Headquarters for leaves of basence, will specify the day upon which the applicant proposes to leave his post, in order that the date from which his leave is to take effect may be so fixed and stated in the order granting it, as to cover the probable period of his detention from snows, or otherwise, while en route.

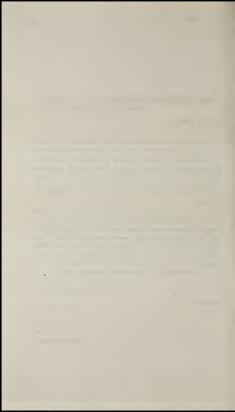
III...Commanding officers of companies serving within this Department, in whose hands experimental arms have been placed for trial, will hereafter make duplicate copies of their monthly reports upon those arms, one to be seut, as heretofore, to the Chief of Ordnance, and the other to the Chief Ord-nance Officer at these Headquarters. The necessary blanks for the additional copy will be furnished by the Chief Ordnance Officer of the Department.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, September 26, 1872.

No. 22.

I...The Districts of the East Platte, Republican, South Platte, Black Hills, Green River, and Utah will be discontinued from the 30th instant.

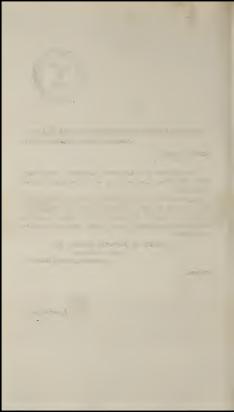
II...To enable him to comply with the provisions of Paragraph 1, Special Orders No. 168, current series, from these Headquarters, Colonel J. V. Bomford, 8th Infantry, will be relieved from duty as Acting Assistant Inspector General at these Headquarters, on the lat proximo.

By Command of Brigadier General Ord:

GEO. D. RUGGLES,

Assistant Adjutant General-

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha. Nebraska, October 25, 1872.

So. 23.

I...In obedience to instructions from the Honorable Secretary of War, all persons in the military service sending telegrams from or to posts immediately on the Union Pacific Railroad, will, whenever practicable, and injurious delay will not thereby ensue, use the Atlantic and Pacific Telegraph, which is subsidized, instead of the Western Union Telegraph, which is no longer subsidized.

II...At payments of troops, Post Commanders will require each soldier present at the post, and not incapacitated by sickness, to be presented at the pay table to receive his pay in person. The sick confined to hospital and the Hospital Matron will be paid in person by the Paymaster at the hospital.

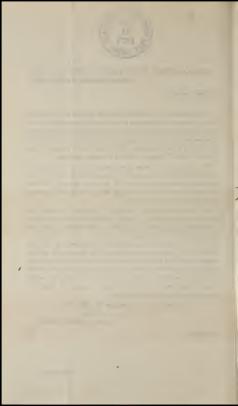
HI...As addittonal proof of identity of discharged soldiers who cannot write their names, Company Commanders and Adjutants commanding regimental bands and non-commissioned staffs will specify in their reports, under Pangraph V, General Orders No. 44, of 1871. from these Headquarters, and Paragraph I, General Orders No. 8, current series, from the War Department, of discharge to the Chief Paymaster of the Department, such sears, marks or physical peculiarities of the men, as loss or other special and distinctive characteristic of fingers, teeth, hair, toes, feet, etc., as will enable the soldiers to be easily and speedily recognized when presenting themselves for final payment.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, November 20, 1872.

No. 24.

Major H. B. Burnham, Judge Advocate, having reported to the Commanding General in obedience to Paragraph 4, Special Orders No. 276, current series, from the War Department, Adjutant General's Office, is announced as Judge Advocate of this Department.

By COMMAND OF BRIGADIER GENERAL ORD:

GEO. D. RUGGLES,

Assistant Adjutant General.

OFFICIAL:





HEADQUARTERS DEPARTMENT OF THE PLATTE, Omaha, Nebrasha, November 21, 1872.

No. 25.

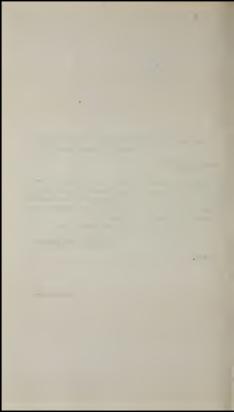
Major T. H. Stanton. Paymaster, having reported to the Commanding General in obedience to Paragraph 5, Special Orders No. 278, current series, from the War Department, Adjutant General's Office, is assigned to duty at these Headquarters, under the orders of the Chief Paymaster of the Department.

By Command of Brigadier General Ord:

Geo. D. Ruggles,

Assistant Adjutant General-

OFFICIAL:





HEADDERS DEPARTMENT OF THE PLATTE, Omaha, Nebraska, December 19, 1872.

No. 26.

J...In future all estimates for building material, requiring action at these Hendquarters, will be made out_separately from those for other Quartermaster Stores, and will be forwarded in duplicate with full explanations of the particular necessity and probable cost of each article.

H., Officers of this command detailed on General Recruiting Service, under General Orders No. 101, current series, from the Headquarters of the Army, will be relieved from duty by their Camonauding officers, at the posts at which they may be serving, in season to report in person to the Superintendents of their respective arms on the first day of January, 1873.

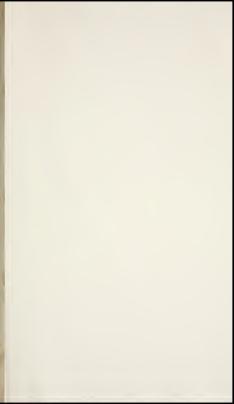
III.. As lack of accuracy and care is shown in the reports of target practice received at these Headquarters, Commanding officers of posts and companies are hereby directed to give the matter their especial nersonal attention. Company Commanders will in person verify all measurements. To calculate the average distance of all the hits at a firing, they will measure from the centre of each ball-hole to the centre of the target, then add these measurements and divide the sum theroof by the actual number of hits. The strength and direction of the wind, whether across or oblique; with, or against the line of fire, will be noted on all reports of target practice. Post Commanders will see that their monthly reports be correct abstracts of the company reports, and especially that the number of hits and average distance of these hits from centre of targets be correctly reported. They will personally inspect all the targets with a view of detecting any mistakes in measurements, and will encourage every Company commander to do the same.

Target practice will be continued once a week during the winter, on the first day in the week on which the weather may be sufficiently pleasant for it to be held, Sundays excepted. When the weather will not permit outdoor practice, simulated practice in company quarters will be held, at which all recently, even though on guard, and extra and adily daty men will attend.

The Department Commander proposes to send to the Army and Nary Journal bereafter, for publication, summary reports of target practice, showing the company making the best shooting. The cavalry have thus far shown themselves better marksmen than the infantry. He hopes that the infantry will spare no effort for successful competition with the cavalry in future target practice. If there be any fault in the new infantry arm to account for the marked difference between the shooting of that and the cavalry arm, infantry officers are expected to report it with a view to obtain a remedy. A simple plan to detect this difference is for Post commanders, when both infantry and cavalry are represented, to issue both weapons, for special trial practice only, to some of the most expert shots at the post, and with these men give the arms a comparative trial.

By Command of Brigadier General Ord; Geo. d. ruggles, Assistant Adjutant General

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